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PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY OF MARYLAND  
1769-1770

(30)

PUBLISHED BY AUTHORITY OF THE STATE UNDER THE DIRECTION OF THE  
MARYLAND HISTORICAL SOCIETY

RAPHAEL SEMMES

*Editor*



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## LETTER OF TRANSMITTAL

Baltimore, Dec. 1, 1945

To The Maryland Historical Society

GENTLEMEN:

The Committee on Publications now presents to the Maryland Historical Society the sixty-second volume of the *Archives of Maryland*. It contains the *Proceedings and Acts of the General Assembly of Maryland, 1769-1770*, and is the thirtieth volume dealing with Assembly affairs. As has been done in the past, the text (pp. 3-453) was printed directly from photostats of the original manuscript records at the Hall of Records, in Annapolis.

Three sessions of the General Assembly were held at Annapolis during the years 1769-1770, one session during 1769 and two in 1770. All were held under the new Governor, Robert Eden (pp. 1, 169, 345).

The members of this General Assembly had been elected in November-December, 1767, while Horatio Sharpe was still Governor of Maryland. The first session of this newly elected Assembly was held under him during May and June, 1768 (*Arch. Md.* LXI, 279). On June 22 Governor Sharpe, with the advice of his Council, prorogued this Assembly to October 4 of that year (*ibid.* 420). Before that day arrived the Governor further prorogued the Assembly until March 21, 1769 (*Arch. Md.* XXXII, 248-249) and by successive prorogations to July 27, 1769 (*ibid.* 270, 272, 274).

Horatio Sharpe, who had been governor of the province since 1753, received words of praise not only from the Lord Proprietary (p. 4), but also was the recipient of many laudatory farewell messages from others, including the Justices and Grand Jurors of the County Courts, the Mayor and City Council of Annapolis, the Judges of the Provincial Court, the prominent attorneys, and the Anglican clergy then serving in the colony. The names of those who signed these addresses are their chief interest. In the case of the last two messages six judges and twenty-one members of the bar signed and thirty-five clergymen of the "Established Church" (*Maryland Gazette*, Nov. 3, 24, Dec. 1, 22, 1768; Feb. 16, May 4, 25, 1769).

On June 6, 1769, Robert Eden became Governor of Maryland. In the *Maryland Gazette*, which was published each week on Thursday, there appeared in the issue for June 8, 1769, an account of his arrival in Maryland:

On Monday Afternoon [June 5] arrived here in good Health, in the Ship Lord Baltimore, Capt. Mitchel, his Excellency Robert Eden, Esq; our Governor,



with his Lady and Family; on the Ship's coming to an Anchor, off the City, she fired Seven Guns, which were returned by an equal Number, but on his Excellency's coming on Shore, in the Evening, he was met by all the Members of the Council then in Town, and a great Number of other Gentlemen, under a Discharge of all the Cannon on the Battery.—

And, on Tuesday Morning about 10 o'Clock, his Excellency went up to the Council-House, attended by his Lordship's Honourable Council, where his Excellency's Commission was opened and published, after which, he was pleased to issue the following proclamation (For this proclamation of himself as Governor and an account of these proceedings, see *Arch. Md.* XXXII, 274-279; and for a description of the Council House, the Governor's House, the Court House, where the Delegates met, see William Eddis, *Letters from America*, 1769-1777, pp. 14, 15, 17).

Governor Eden held his first meeting with his Council in its advisory capacity on June 12 (*Arch. Md.* XXXII, 283). He read to the members then present the lengthy instructions which he had received from the King regarding trade and navigation between Great Britain and the American colonies (*ibid.* 283-300). Later he produced the instructions which he had received from Frederick Calvert, the Lord Proprietary (*ibid.* 302-305). On the same day Governor Eden, with the approval of his Council, prorogued the General Assembly from July 27 to November 14, 1769 (*ibid.* 306). If the Assembly convened, the Governor was afraid that the Delegates might adopt resolutions similar to those passed by the Virginia House of Burgesses (see Introduction, pp. xxiv-xxv).

As there were not a sufficient number of Delegates in Annapolis "to make an House" on November 14, it had to be prorogued to the following day. As the same situation existed on the 15th and 16th, the Assembly did not convene until the 17th. Eden wrote that "contrary Winds" had prevented a number of Delegates from arriving on time at Annapolis (Correspondence of Gov. Eden, *Md. Hist. Mag.* Vol. II, 231). The session which began on November 17 lasted until December 20. This was the second session of the Assembly which had been elected in 1767. There were only thirty of the fifty-eight Delegates, who had been elected at that time, present at the opening of the second session (pp. 1, 3, 37-38, 119).

On December 20, 1769, Governor Eden prorogued this Assembly to meet again on May 8, 1770 (p. 119). The Delegates had passed resolutions similar to those adopted by the Virginia House of Burgesses (see Introduction, pp. xxiv-xxv). At a meeting with the Council on March 31, 1770, the Governor decided to prorogue the Assembly until August 7, 1770 (*Arch. Md.* XXXII, 335). According to a notice appearing in the *Maryland Gazette* for July 5, 1770, the General Assembly was further prorogued to September 24, 1770. As bad weather prevented a number of Delegates from arriving at Annapolis, the Assembly had to be prorogued to the following day (*Maryland Gazette*, Sept. 27,

1770). On the 25th convened the third session of the Assembly whose members had been elected in 1767 (pp. 169, 171).

This session lasted until Friday, November 2, when Governor Eden prorogued the General Assembly to meet again on the following Monday, November 5 (p. 307). This prorogation was due to the arrest and imprisonment of William Steuart (see Introduction, pp. xxvii-xxviii). The session which met on November 5 was the fourth of the Assembly elected in 1767 (pp. 345, 347). It lasted until November 21 when Eden prorogued the General Assembly to meet on December 11 of the same year (p. 432). The Governor was fearful lest the Delegates again order the arrest of William Steuart (see Introduction, pp. xxviii-xxix).

On December 6, 1770, the Governor further prorogued the Assembly until December 22 (*Maryland Gazette*, Dec. 6, 1770). Before that day arrived, Eden issued a proclamation dissolving the General Assembly and at the same time promised that a general election would be held for the purpose of electing members of a new Assembly, which would meet in Annapolis on February 4, 1771 (*Maryland Gazette*, Dec. 20, 1770). Before the newly elected Assembly could meet on that date, the Governor prorogued it to meet on October 1, 1771 (*Maryland Gazette*, Jan. 17, 1771). It convened on the following day (*Arch. Md.* I, xxxvi, xlv).

Although no mention is made of it in the Proceedings of either the Council or the Lower House during 1770, there occurred in February of that year an important ante-Revolutionary event. This was when the ship *Good Intent* arrived at Annapolis on February 5 with articles on board whose importation had been prohibited by a Resolution of Non-Importation adopted June 22, 1769, at a meeting of county committees held in Annapolis. A notice printed in the *Maryland Gazette* and a broadside, both of which will be found reprinted in Appendix I and II, respectively, outline the events which led to the holding of the Annapolis meeting.

As soon as the *Good Intent* arrived, committees from the counties, which had adopted the Resolution of Non-Importation, assembled in Annapolis. As articles which could be imported were so intermingled with those which could not be brought in, it was decided that none of the freight could be landed. The *Good Intent* with all of her cargo was compelled to return to England. No secrecy was observed. The names of the committeemen were known and notices of the meetings and their decisions were published in the *Maryland Gazette*. It was indeed a bold act. For an account of this event see *The Case of the Good Intent*, *Md. Hist. Mag.* Vol. III, 141-157, 240-256, 342-363, 386-387; *ibid.* Vol. XVI, 60-62; Correspondence of Governor Eden, *Md. Hist. Mag.* Vol. II, 228-244; *Maryland Gazette*, Jan. 25, Feb. 1, 8, 15, 22, Apr. 19, 26, 1770.

Because of the scarcity of copies of Volume III of the *Maryland Historical Magazine* where the Resolution of Non-Importation is printed, and of the comparatively few copies extant of the *Maryland Gazette* for June 29, 1769, where it was also published, this important resolution is reprinted in Appendix III.

Not only was the case of the ship *Good Intent* within the provisions of the resolution, but there were numerous other instances in the province where it was held the terms of this Non-Importation Agreement were applicable. For example, some goods landed in Charles County were ordered reshipped to England (*Maryland Gazette*, Nov. 30, 1769), and a similar situation arose in Prince George's County (*ibid.* Apr. 12, May 3, 1770). Even after all the duties, except that on tea, had been repealed by Parliament, the committee of Prince George's County decided still to adhere to the Non-Importation Agreement (*ibid.* May 31, June 7, 14, 1770).

The agreement was applied in the case of the ship *Betsey* (*Maryland Gazette*, Mar. 1, 8, 15, 1770). Questions of its application arose in Baltimore Town and County (*ibid.* Dec. 28, 1769; Apr. 19, Oct. 11, Nov. 1, Dec. 6, 1770), in Anne Arundel County (*ibid.* July 19, 1770), in St. Mary's County (*ibid.* May 24, 31, 1770), and on the Eastern Shore in Queen Anne's (*ibid.* Oct. 18, 1770), and Talbot Counties (*ibid.* July 12, Aug. 23, 1770).

The Non-Importation Resolution was the subject of much discussion and interpretation in Annapolis (*Maryland Gazette*, Dec. 21, 1769; June 21, 1770). The violation of the agreement by Rhode Island was condemned (*ibid.* June 7, 14, 1770), as well as similar action on the part of New York merchants (*ibid.* July 26, Aug. 2, 9, 16, 1770).

The reason there is no mention of the case on the *Good Intent* in either the proceedings of the Upper or Lower Houses of the Assembly is given in a letter, dated June 23, 1769, which Governor Eden wrote to the Earl of Hillsborough. Eden said that he hoped from the dissensions among the men attending the meeting, which finally did adopt the Resolution of Non-Importation, that nothing would come of it. Although many of the men at the meeting were members of the Lower House, yet, as the meeting was a private one, the Governor thought he could not interfere. Furthermore, he was of the opinion that by ignoring it the meeting would lose its importance. For this reason Eden wrote Hillsborough that unless he received instructions to the contrary, he would make no mention of the *Good Intent* incident at the next meeting of the Assembly. The Governor's plan met with the approval of the King's advisers (Correspondence of Governor Eden, *Md. Hist. Mag.* Vol. II, 228-231).

To Mrs. Vivian E. Barnes the Committee on Publications is indebted for her assistance in locating some of the material which is printed in the Appendix



and in preparing the volume itself for the press. To Dr. Elizabeth Merritt we are indebted for her comprehensive index.

The next volume of the *Archives* will contain the *Proceedings and Acts of the General Assembly* at a session held from October 2 to November 30, 1771, and also during the June 15 to July 3 session held in 1773.

Respectfully submitted,

CHARLES A. BARKER,

J. HALL PLEASANTS,

RAPHAEL SEMMES (*editor*),

*Committee on Publications.*



INTRODUCTION  
THE GENERAL ASSEMBLY, 1769-1770  
COMPOSITION AND ORGANIZATION  
THE COUNCIL OR UPPER HOUSE

As has already been stated Governor Eden had his first meeting with his Council on June 12, 1769. All the men who attended this meeting had also served as Councillors under Governor Horatio Sharpe (*Arch. Md.* XXXII, 272, 283). Benjamin Tasker, who had been one of the members of the Council under Sharpe, had died on June 19, 1768 (*Arch. Md.* LXI, xli, 301; *Maryland Gazette*, June 23, 1768). Subsequently, at a meeting with his Councillors on November 12, 1769, Governor Eden informed them that he had received instructions from the Lord Proprietary to appoint William Fitzhugh a member of the Council (*Arch. Md.* XXXII, 328). This meant that Fitzhugh sat as a member of the Upper House, the personnel of the two bodies being the same. William Hayward became a member of the Council on September 24, 1770 (*ibid.* 385-386).

During the three sessions of the General Assembly held during 1769-1770, when the members of the Council were sitting as the Upper House, Benedict Calvert, Daniel Dulany, John Ridout, Walter Dulany, John Beale Bordley, William Fitzhugh and George Steuart were present at all three sessions. At the session which met in September-November, 1770, William Hayward was present, but he did not attend the third session.

Samuel Chamberlaine, Charles Hammond, Edward Lloyd III, and Richard Lee were the other members of the Council. Only Lee and Hammond attended any of the meetings of the Upper House during the sessions of the General Assembly held in the years 1769 and 1770. Chamberlaine, Hammond and Lee were old and infirm. Chamberlaine tendered his resignation as Councillor and member of the Upper House on June 22, 1769. Lloyd, who found his duties as a Councillor distasteful, resigned from the Council on November 16 of the same year. He was the first of these four men to die. His death occurred at Wye House on January 27, 1770, at the age of fifty-nine. A newspaper notice of his death described him as "Possessed of great Wealth" (*Arch. Md.* LXI, xli-xlii; *Maryland Gazette*, June 22, Nov. 16, 1769; Feb. 8, 1770; *Md. Hist. Mag.* Vol. XVII, 28; *ibid.* Vol. XVIII, 274-275). Charles Hammond lived to be eighty years old. He died on September 13, 1772, at his home on the Severn river (*Md. Hist. Mag.* Vol. XVIII, 278). Richard Lee died at Blenheim, in Charles County, on Jan. 26, 1787. He was the father of Richard Lee, Jr., sheriff of Charles County, who is mentioned in the Introduction, pp. xxiv, xxxiv-xxxv. (The Lees of Blenheim, by Ethel R. Hayden, *Md. Hist. Mag.* Vol. XXXVII, 204-205; *Maryland Gazette*, Feb. 15, 1787).



## THE LOWER HOUSE

When the Lower House convened on November 17, 1769, this, as has been stated, was the second session of an Assembly whose members of the Lower House of Delegates, as they were called, had been elected in Nov.-Dec., 1767. The election results appear in the *Maryland Gazette* for that year and months and also in the January, 1768, issues. The first session of the newly elected house was held in May and June, 1768. The more prominent members of the Lower House are discussed in the introduction to the last volume of this series (*Arch. Md.* LXI, xlii-xliii).

When the second session opened on November 17, 1769, most of the same Delegates appeared. Six deaths, however, had occurred since the first session had ended on June 22, 1768. Those who had died were Henry Baker, of Cecil County, Capt. Joseph Chapline, of Frederick County, Francis Waring and William Murdock, of Prince George's County, and Philemon Lecompte, of Dorchester County (p. 40; *Maryland Gazette*, July 28, 1768; Jan. 12, Feb. 23, Oct. 19, Dec. 7, 1769).

Robert Adair, who was a Delegate for Baltimore County, died in Baltimore Town on October 22, 1768 (*Maryland Gazette*, Oct. 27, 1768). Thomas Jennings, another Delegate from Frederick County, having accepted the office of Attorney General since the last session of the Assembly, his seat in the Lower House was declared vacated (p. 40). About a week later, on November 25, 1769, the seat of John Hanson, Jr., of Charles County, was also declared vacant. It appears that he had accepted the position of Deputy Surveyor of Frederick County (p. 50).

The Speaker of the Lower House, Robert Lloyd, was ordered by the Lower House to issue his warrant to the Secretary of the province requiring him to make out new writs of election directed to the Sheriffs of those counties where vacancies had occurred due to death or acceptance of an office (pp. 40, 50).

A number of the Delegates, who had been elected during Nov.-Dec. 1767, made their appearance for the first time at the second session of the General Assembly which convened, at Annapolis, on November 17, 1769. Among them was Edward Tilghman, of Queen Anne's County, who appeared on the opening day (pp. 5, 39).

Some of the Delegates did not put in their appearance until December. Edward Noel, of Dorchester County, took the required oaths of office on December 13 (pp. 17, 72). On the following day Andrew Heugh and Thomas Contee, Delegates from Frederick and Prince George's Counties, respectively, put in their appearance (pp. 18, 77). Mordecai Jacobs, another Delegate from Prince George's County, was qualified on December 15 (pp. 20, 80), while Thomas Sprigg Wooton, of Frederick County, took his seat in the Lower House the next day (pp. 23, 84).

Annapolis was entitled to two Delegates to represent the town in the Lower House, while each of the counties could have four Delegates, making fifty-eight Delegates in all. Twenty-nine was probably a quorum. Curiously enough, although the General Assembly met in Annapolis, neither of this town's Delegates was present when the session began on November 17, 1769. John Hall

and William Paca were the names of the absent Delegates. Anne Arundel County, however, was represented by her full quota of Delegates (p. 37).

None of the Delegates for Baltimore County were present at the opening session. John Moale appeared four days later and was duly qualified (pp. 7, 45). About ten days later, however, he was dismissed from any further attendance in the Lower House. This was due to a contested election in that County. This is indicated by the action of the Lower House on November 30 when it was decided that as sufficient notice had not been given in that County of the election it was void and a new election was ordered (pp. 37-38, 56).

While Francis Ware was the only Delegate present for Charles County, Talbot County, across the Chesapeake Bay, was represented by all four of her Delegates, including Matthew Tilghman, who, later, was to play such an important part in the Revolution (p. 37; *Arch. Md.* LXI, xlii). Somerset County, also across the bay, had three of her four Delegates present. One of them was William Hayward, soon to be appointed a member of the Council which carried with it membership in the Upper House, the personnel of the two bodies, as we have seen, being the same (*Arch. Md.* XXXII, 385-386). The other Counties, including St. Mary's, Kent, Calvert, Dorchester, Cecil, Prince George, Queen Anne, Worcester and Frederick were each represented by two Delegates (pp. 37-38).

On December 20, 1769, Governor Eden prorogued the General Assembly (p. 119). It did not meet again until September 25, 1770. This was the third session of the Assembly which had been elected in 1767. A number of Delegates who had been elected in that year took their seats for the first time. Three Delegates appeared at the opening meeting for Baltimore County. The new Delegates were John Paca, Aquila Hall and John Matthews (pp. 172, 207). Robert Hendley (or Henly) Courts, of Charles County, and Joseph Gilpin, of Cecil County, were sworn in as Delegates at this opening session (pp. 172, 207). Gilpin took the place of Henry Baker, who had died, while Courts replaced John Hanson, Jr., who could no longer represent Charles County due to his acceptance of an office (*Maryland Gazette*, Jan. 18, 1770).

On October 26, 1770, Parker Selby, Delegate for Worcester County, having accepted the office of sheriff in that county his seat in the Lower House was declared "void" and the Speaker was instructed to tell Selby that he was dismissed from further attendance. The House also made arrangements to hold another election in Worcester County in order that the voters could choose another Delegate in place of Selby (pp. 286-287). As William Hayward, who had represented Somerset County in the previous session, had been appointed a member of the Governor's Council, an election in that county was ordered to determine who should be Hayward's successor (p. 208).

Robert Lloyd, of Queen Anne's County, who had been Speaker of the Lower House, at the last session of the General Assembly, died on July 16, 1770, as a result of a fall from his carriage (*Maryland Gazette*, July 19, 1770). After a new election, which had been ordered by the Lower House in Queen Anne's County, William Hopper took the place of Lloyd (pp. 37, 206, 208, 184-185, 262; *Maryland Gazette*, Oct. 18, 1770). In Somerset County William Adams

was chosen as Hayward's successor (pp. 193, 288). When Thomas Cockey Deye was sworn in as a Delegate for Baltimore County on October 2, 1770, that County then had her full quota of representatives (pp. 176, 218).

On Friday, November 2, 1770, Governor Eden, with the advice of his Council, ordered the General Assembly prorogued to the following Monday, November 5 (p. 307). On that day began the fourth and last session of the Assembly which had been elected in December, 1767. No new Delegates took their seats during this session which was ended on November 21 by the Governor's prorogation (pp. 345, 432).

The Lower House would sometimes grant a Delegate a leave of absence without giving any reason (pp. 57, 59, 60, 75, 228, 429). In some instances, however, an excuse was given, such as the sickness of a relative, or wife, or the illness of the Delegate himself (pp. 221, 222, 231, 280). In other cases a leave of absence would be granted to go home, or until a specified future date (pp. 231, 233, 257, 267). At a session held on October 27, 1770, it was resolved that no member of the House should have a leave of absence "without Sickness or other unavoidable Accident" (p. 289).

#### THE SPEAKER

Robert Lloyd, of Queen Anne's County, was the Speaker of the Lower House which met during November and December, 1769 (p. 37). As we have seen, he died the following summer. When the General Assembly met again on September 25, 1770, the House chose Edward Tilghman, who also came from Queen Anne's County, as Speaker. Tilghman continued in this capacity until the session ended on November 2 (pp. 171, 206).

Soon after the next session of the Assembly opened on November 5 Tilghman notified the Delegates that he was "great indisposed, and unable to attend the publick Business." On the same day the Lower House chose Brice Thomas Beale Worthington, of Anne Arundel County, to succeed Tilghman as Speaker (pp. 372, 382-383). As subsequent proceedings show, Tilghman appears to have made a rapid recovery. At a session held on November 12 Worthington "having signified that he was unable to attend the Business of the House," the members of the Lower House again chose Edward Tilghman as Speaker (pp. 393-394).

#### CLERKS OF THE UPPER AND LOWER HOUSES

Upton Scott continued as Clerk of the Upper House during the meetings of the General Assembly in 1769 and 1770 (pp. 168, 342, 453; *Arch. Md.* LXI, 495). Turbutt Wright, however, was Clerk of the Lower House only for the session which met in 1769 (p. 168). After the close of this session, he resigned as Clerk (p. 207; *Maryland Gazette*, Sept. 27, 1770).

When the Assembly met again on Sept. 25, 1770, the choice of the Lower House for Clerk was John Duckett (pp. 172, 207-208). Duckett acted in this capacity for this and the following session of the General Assembly (p. 453). While the Lower House was in session during the years 1766, 1768 and 1769, Duckett had acquired experience as one of the Clerks to the Committees of



that legislative body (p. 41; *Arch. Md.* LXI, 139, 331-332). During the session held during May and June, 1768, there was initiated a movement to pay Duckett for transcribing in a book the votes and proceedings of the Lower House for the years 1704-1715, inclusive (*Arch. Md.* LXI, 405).

The Upper and Lower Houses would instruct their respective Clerks in the performance of their duties (pp. 28, 291, 298, 387, 390). Clerks of both Houses signed addresses (pp. 22, 73, 402).

#### LOWER HOUSE RULES

After the Lower House met in November, 1769, they ordered that the rules of the last session should be observed during the present session (p. 40). The same action was taken at the session which opened on September 25, 1770 (p. 209). On October 18, 1770, the Lower House adopted new regulations governing the conduct of legislative proceedings. While they were in session, no member was to leave and no outsiders were permitted to talk with a Delegate. The Speaker of the House was compelled to make known the contents of all letters addressed to him (pp. 260-261).

While the Assembly which met in 1769 sat from nine in the morning until one o'clock in the afternoon, that which convened on September 25, 1770, sat from eight in the morning until the same time in the afternoon (pp. 40, 208).

#### COMMITTEES

Committees of one or more members were appointed by the Lower House for various purposes. Because of the small membership of the Upper House, committees were not as necessary, and, with the exception of the committees instructed to prepare addresses to the Lord Proprietary or the Governor, none were appointed (pp. 5, 172).

In the Lower House committees were used not only for this purpose (pp. 40, 74, 267, 378), but also for preparing addresses to the Upper House (pp. 40, 69, 221). During the three sessions held in 1769 and 1770 committees were appointed by the House to enquire what laws would expire during each session (pp. 40, 209-210, 387), to consult with the members of the Upper House (pp. 46, 173, 209, 378), to enquire into the facts of a petition (pp. 52, 79, 211, 216, 224, 228, 270, 293, 295, 381-382, 384, 396), to tax the fees and expenses of a complaint or petition (pp. 76, 116, 289, 402), and to prepare bills (pp. 47, 54, 224, 230, 376).

There was also a "Committee of Grievances and Courts of Justice" (pp. 41, 210, 375). This committee was required to publish in the *Maryland Gazette* the time and place of their meetings (p. 45). One of such notices appeared in that newspaper on November 23, 1769. It stated that the committee would sit for the purpose of hearing complaints or grievances "as any of the good People of this Province think proper to make, at the Stadt-House, at one o'Clock, every Day during this session" (*Maryland Gazette*, Nov. 23, 1769). A similar notice appeared in the *Maryland Gazette* on October 11, 1770.

Committees were sometimes appointed at one session but not at another.

For example, during the session held in 1769 and also during one but not both of the sessions held in 1770 committees on elections and privileges, on accounts, and to inspect the several public offices were designated (pp. 41, 48, 210). Only during the session held in 1769 was a committee appointed to correspond with Charles Garth, the Agent representing the Lower House in dealings with the Lord Proprietary (p. 92). Another committee, appointed during the session held in 1769, but at only one of the sessions held in 1770, was concerned with the accounts and proceedings of the commissioners appointed by virtue of the act for the payment of public claims, for emitting bills of credit, and other purposes therein mentioned (pp. 7, 41, 46, 173, 209).

At a meeting of the General Assembly on November 18, 1769, John Duckett and James Brook (or Brooks) were appointed clerks to the several committees (p. 41). Later, on November 22, Henry Gassaway was made a clerk to the committees (p. 47), and, six days later, Ralph Dobinson was appointed one (p. 53). The Lower House, which met in September 1770, made Thomas Brooke Hodgkin and John Johnson clerks to the several committees (pp. 214-215). During the following month Hodgkin was discharged as clerk (p. 253).

At the session of the General Assembly, which met from November 5 to November 21, 1770, Ralph Dobinson and Thomas Brooke Hodgkin were again made committee clerks (pp. 374, 375, 376). It was one of the duties of these clerks to sign the various reports from the different committees which were submitted to the Speaker of the Lower House (pp. 52, 280-282, 384-386).

When some important matter was under consideration, the Lower House would resolve itself into a Committee of the Whole House (pp. 53, 54, 214, 216, 217, 221-224, 226-228).

#### CHAPLAINS

Although not called "Chaplains," Anglican ministers at this period performed duties which today are incumbent upon Chaplains. When the Lower House convened in November, 1769, the Reverend [William] Edmiston read the Divine Service every morning before proceedings began (p. 41; see also *Arch. Md.* LXI, xlv-xlv). At the session which met from September 25 to November 2, 1770, the Reverend [Jonathan] Boucher performed the same duties (p. 208; Jonathan Boucher, American Loyalist, by James E. Pate, *Md. Hist. Mag.* Vol. XXV, 305-309). During the November 5-21 session the Reverend Jacob Hindman was appointed to read the service (p. 381; *Md. Hist. Mag.* Vol. XXVII, 31, 32; *History of Talbot County*, by Oswald Tilghman, Vol. II, 113).

#### DOORKEEPERS AND SERJEANTS-AT-ARMS

There is no record of the appointment of a doorkeeper during the session of the General Assembly which met in 1769. It is possible that Cornelius Howard, who had been made doorkeeper during the May-June 1768 session, continued to act in that capacity (*Arch. Md.* LXI, 328). When the Lower House convened on September 25, 1770, Robert Reynolds was appointed

doorkeeper (p. 208). He probably continued performing these duties during the short November 5-21 session which followed.

A serjeant-at-arms was also employed by the Lower House. The session which met in May and June of 1768 appointed Robert Saunders to this position (*Arch. Md.* LXI, 328). He continued to act as serjeant-at-arms during the session which met in 1769 (pp. 73, 74), and probably during both sessions held in 1770 (pp. 288, 304).

The duties of this officer can be determined from the instructions which he received from the members of the Lower House. He was, for example, asked to take into his "custody the bodies" of so and so, or to summon persons before the House to answer charges made against them (pp. 68, 253, 270, 290, 301, 374, 403-404). In one instance the serjeant-at-arms was ordered to deliver a person in his custody to the sheriff (p. 305): in another case the serjeant-at-arms was instructed to take into his custody the sheriff himself, and his deputies, for their alleged illegal distress proceedings (pp. 387, 402-403). Serjeants-at-arms could depute others to execute an order (pp. 73-74, 270, 288, 292).

#### JOINT MEETINGS OF THE UPPER AND LOWER HOUSES

Joint meetings were held for various reasons. On the opening day of each session, as soon as the Governor received word from the Lower House that there were a sufficient number of members present "to make a House," then the Governor would notify the Speaker of the Lower House that he desired the Delegates, together with their Speaker, to come to the room where the Upper House met. There the Governor would address the joint meeting, making recommendations of what he wanted accomplished during the session (pp. 3-4, 171-172, 206, 207, 347), or express his appreciation of what had been done (p. 119), or, sometimes, prorogue the Assembly (pp. 119, 307, 432). The Lower House choice of a Speaker had to be confirmed by the Governor at a joint meeting of both Houses (pp. 206, 382-383, 393-394).

The two Houses also met together for the purpose of passing laws which hitherto had been acted on favorably by each House separately (pp. 77-78, 118-119, 175, 263, 370-371, 374, 431-432).

#### PROPRIETARY-PROVINCIAL CONTROVERSIES

##### RELATIONS BETWEEN THE PROPRIETARY AND GENERAL ASSEMBLY, 1769

When the General Assembly met on November 17, 1769, Governor Eden requested the members of the Lower House to come to the Council Chamber for a joint meeting with the Upper House. At that meeting the Governor delivered the message of the Lord Proprietary, which was addressed to both the Upper and Lower Houses. In his message Lord Baltimore praised the last Governor, Horatio Sharpe, for his many years of faithful service. Although the new Governor, Robert Eden, was his brother-in-law, Frederick Calvert, the Lord Proprietary, said that he would not have appointed him if he did not think that Eden would endeavour to promote the interests of Maryland (pp. 4, 39).



It was not until the closing day of this session, that is, on December 20, that the Upper and Lower Houses replied to Lord Baltimore. Both houses asked that their messages, or addresses, should be forwarded by the Governor to the Lord Proprietary (pp. 33, 114).

The members of the Upper House, after thanking the Proprietary for his message to the General Assembly at their opening session on November 17, said that they were pleased that Lord Baltimore would not appoint any one Governor who did not make the happiness of the people of Maryland his "first Object." The Councillors praised the new Governor, Robert Eden, for already having shown "conciliatory Affability." As to the late Governor, Horatio Sharpe, the members of the Upper House thought that after the complimentary remarks made by the Lord Proprietary about him, Sharpe would derive no additional commendation from their own eulogy (pp. 33-34).

The Delegates' reply, on December 20, 1769, to the message which Lord Baltimore had addressed to the General Assembly at their opening session was less conciliatory in tone than the reply of the Council or Upper House. As the appointees of the Lord Proprietary the members of the Council were naturally friendly towards him. The Delegates, on the other hand, after referring to what Lord Baltimore had said about Sharpe's faithful service to him and to the interests of the province, continued:

How justly . . . Mr. Sharpe may have entitled himself to your Lordships grateful Acknowledgments for his many Years faithful service to you, is with your Lordship; though a Retrospection upon the Proceedings of this House will not permit us to say that Mr. Sharpe always paid a due Regard to the Interest of the Province; yet we must acknowledge it is our Opinion that his own Inclination led him very much towards that desirable Object.

Thus, rather guardedly, were the Proprietary's policies criticized. As to the new Governor, Robert Eden, the members of the Lower House said that as Lord Baltimore had expressed such confidence in his abilities, they hoped that Eden had been delegated unrestricted authority to promote the welfare of Maryland. The Delegates thought that the Proprietary was right in saying that his interests and those of the colonists were inseparable.

The House then took up some of the principal causes that they considered retarded the growth of the province. One such cause, they said, was the collection of the 14d sterling per ton on shipping in the colony to his Lordship's use and of the 12d per hogshead for the support of the government under laws, which, it was claimed, had no real existence. As to the imposition of the 14d sterling per ton on shipping, the Delegates maintained that this was the chief reason why a great deal of the produce of Maryland was exported through Pennsylvania where no such law existed.

The Lower House protested against the constant refusal of the Upper House to pass a bill for the support of an Agent in London to transact the affairs of the province in behalf of the people.

The members of the Lower House objected to the law requiring everyone to come to Annapolis in order to obtain a writ of replevin out of the Chancery Court located there. This was very inconvenient to people living some distance

from there. The law was retained, they asserted, only because the Chancellor did not want to lose a trifling fee.

The Delegates condemned the sale of offices "now open and avowed," which obliged the purchaser to increase his fees, and also maintained that the way in which the Upper House sought to pay their Clerk was an infringement on the right of the Lower House to decide such financial matters. Finally, the Delegates said that they hoped the Lord Proprietary would use his influence to redress all these grievances (pp. 111-114, 117).

#### RELATIONS BETWEEN THE GOVERNOR AND GENERAL ASSEMBLY, 1769

At the joint meeting of the Upper and Lower Houses on November 17, 1769, at which Governor Eden delivered the message of the Lord Proprietary, the Governor himself spoke to the members of both Houses informing them of his appointment as the successor of Governor Horatio Sharpe. Although it was his desire to promote the prosperity of Maryland, the new Governor said that he knew that he would be judged by his actions rather than by his assurances. To this test he was willing to submit (pp. 3-4, 38-39).

To the members of the Lower House present, he said that since he was convinced that the interests of the Lord Proprietary and the people of the colony were inseparable, he hoped that the present session would be distinguished by friendly relations. While he realized that he had been in Maryland too short a time to make specific recommendations, the Governor said that he wanted "a more liberal Institution of Youth" in the province (pp. 3-4, 38-39).

On November 20 Daniel Dulany, attended by other members of the Upper House, replied to Governor Eden's address. First, they congratulated him on his appointment as Governor. After a word of praise for the retiring Governor, Horatio Sharpe, the Councillors said that they agreed with what Eden has said in his address to the members of the Lower House that the interests of the Lord Proprietary and the colonists were inseparable. In his suggestion about better educational facilities, the members of the Upper House said that they saw in it an example of the new Governor's intention to promote the prosperity of the province. The Councillors promised to cooperate. Governor Eden at once informed the members of the Upper House that he was pleased with their message and hoped that he would continue to merit their confidence (pp. 5-6).

While the Upper House was in session on December 15, 1769, they received a message from Governor Eden in which he said that in the Journal of Accounts, now under consideration, no allowance had been made him for affixing the seal of the province to fifteen proclamations of the late Acts of Parliament in favor of American trade, or to the printer for reprinting said Acts. While Eden added that in his desire to promote harmony, he would not now assert his claim to this allowance, he would not, however, give up his right to it (pp. 20-21).

On the same day, the Journal of Accounts, together with a message from the Upper House was delivered to the Lower House. The message referred to

the claim made by the Delegates that the publication of Acts of Parliament in the province by proclamation was without precedent. If the Lower House was unwilling to make any allowance for this publication now, the Councillors were willing to refer the matter to a future session (pp. 22, 83). It is interesting to note that when the same subject did come up again at a later session, the Delegates resolved unanimously that no allowance should be made to the Governor for seals to proclamations of Acts of Parliament (p. 232).

On November 21, 1769, the Lower House sent a message to Eden in which they congratulated him on his appointment as Governor. As to his plan for a better academy for the instruction of colonial youths, the Delegates said that they hoped that they would be excused from considering the matter at this time when "the severe Season of the Year" was fast approaching (pp. 42-43). On the following day, November 22, Eden formally thanked the Lower House for their message (p. 47).

The Lower House had some complaints to make to the Governor. Near the close of the 1769 session they addressed Eden giving an account of their proceedings against Richard Lee, Jr., Sheriff of Charles County. The Delegates asked that Lee should be removed from office. The Governor promised to make a full enquiry of the justness of the complaint against Lee (pp. 86-88, 91). The case of Sheriff Lee is discussed later in more detail (pp. xxxiv-xxxv.)

On the closing day of the session, December 20, the members of the Lower House complained to Governor Eden about the failure of the sheriffs in some of the counties to pay money derived from various licenses, such as those for innkeepers and pedlars. The Delegates asked that the bonds of the negligent sheriffs "be put in suit immediately." The Governor promised to give the matter his attention (pp. 115, 118).

While, as we have seen, the Lower House was unwilling to make any allowance to the Governor for seals to proclamations of Acts of Parliament, and also wished to postpone the consideration of an educational institution, relations between the Delegates and Eden had been maintained on a cordial basis. While this cordiality continued to characterize their dealings, there now occurred an incident that led the Governor to prorogue the Assembly. This was when, on December 19, 1769, there was introduced in the Lower House a letter from Peyton Randolph, Speaker of the Virginia House of Burgesses, addressed to the Speaker of the Maryland House of Delegates. Randolph enclosed copies of resolutions adopted on May 16, 1769, by the Virginia House of Burgesses, which he was sending to the speakers of the several houses of assembly of the different colonies. Although the Virginia Governor had dissolved the Virginia Assembly, Randolph hoped that the King would interpose and view with favor the claims made by the Burgesses in their resolutions.

In these resolutions the Virginians maintained; first, that the sole right of imposing taxes in the colony was vested in the House of Burgesses with the consent of the Council, and of the King, or his Governor; second, that it was an "undoubted Privilege" of the people of Virginia to petition their sovereign for the redress of grievances, and to procure the concurrence of other colonies in such matters; third, that all trials for treason, misprision of treason, or for



any felony or crime whatever, committed in the colony by a person residing there should be tried before a local court, and fourth, and last, that an address be presented to the King to protest against seizing and taking overseas for trial persons suspected of a crime committed in the colonies (pp. 107-109).

On the day following the introduction of Randolph's letter in the Lower House Governor Eden sent to their Speaker an extract from a letter, dated May 13, 1769, from the Earl of Hillsborough. This stated that the King and his advisers did not plan to suggest to Parliament that any further taxes should be levied in the American colonies for the purpose of raising a revenue and that it was at present the intention of the King and his advisers to propose at the next session of Parliament that the duties on glass, paper and colors, should be removed. Such being the sentiments of the King's present administration, Hillsborough said that his Majesty hoped that mutual confidence between him and the colonists would be reestablished (pp. 109-110).

Eden had acknowledged Hillsborough's letter on August 14 saying that he, too, hoped that the King's plan would mark the beginning of a much desired reconciliation of Great Britain and her colonies (*Correspondence of Governor Eden, Md. Hist. Mag.* Vol. II, 229-231).

The conciliatory letter had no effect, however, on the Maryland Delegates. On the same day on which they received it they resolved unanimously to concur with the sentiments expressed by the Virginia House of Burgesses. This is shown by their passing resolutions similar to the Virginia ones. Robert Lloyd, their Speaker, was directed to inform Peyton Randolph, Speaker of the Virginia House, of the action which had been taken by the Maryland House. Lloyd was also instructed to write to the speakers of the other houses of representatives in the colonies informing them of the Maryland resolutions and to ask their concurrence therein (pp. 110-111). The "Resolves" of the Lower House were ordered published in the local newspaper (*Maryland Gazette*, Dec. 28, 1770).

Apparently this is what Governor Eden was afraid would happen. In a letter written to Lord Hillsborough on June 21, 1769, not very long after his arrival in the province, the Governor had said that he was delaying calling the Maryland Assembly together for fear that they might adopt resolutions similar to those passed by the Virginia House of Burgesses. If the Maryland Delegates pursued the same policy, Eden said that he would be compelled to dissolve the Assembly (*Correspondence of Governor Eden, Md. Hist. Mag.* Vol. II, 227-228). Although he did not dissolve it, he prorogued the Assembly on December 20, 1769 (pp. 36, 119).

Before proroguing it the Governor said a word of praise to the members of that body. Despite the prorogation, he wished, if possible, to maintain friendly relations with both Houses. Accordingly, on the closing day of the session, after several acts had been passed at a joint meeting of the Upper and Lower Houses, Eden thanked those present for "the Obliging Testimony" they had given him of their regard for him. He added that he was grateful for their attention to the mercantile interest and for the steps which they had taken towards erecting necessary public buildings. The Governor also referred to the

steady application of the Lower House to the business brought before them (pp. 35-36, 119).

RELATIONS BETWEEN THE GOVERNOR AND GENERAL ASSEMBLY, 1770

Despite his abrupt prorogation of the previous General Assembly, the next one which convened for the first time on September 25, 1770, met in a friendly atmosphere. At a joint meeting of both Houses on the opening day Governor Eden informed the members present that he would be glad to sanction all such laws as the Assembly found to be most conducive to the welfare of the colony (pp. 171-172, 206-207).

On the following day the members of the Upper House promised on their part to do everything in their power to bring the business before them to "a happy Conclusion." This was the usual promise made by the Councillors. As appointees of the Lord Proprietary they would naturally be favorable to any plan suggested by his spokesman, the Governor. Although Eden knew this was true, he went through the form of thanking the Upper House for their cooperation (pp. 174, 175).

In a separate address to the members of the Lower House the Governor laid before them several matters which required their attention. These included some papers in regard to Indian affairs, and a letter from Lord Botetourt, Governor of Virginia, recommending the erection of a lighthouse on Cape Henry. Governor Eden also referred to defects in the criminal law, which, he hoped, could be remedied (pp. 171-172, 206-207).

An exchange of friendly messages now ensued (pp. 211, 214). It is not stated what the papers contained that referred to Indian affairs. After they had been considered by the Lower House, the Delegates decided against taking any favorable action in regard to them. They gave as their reasons the King's failure to commit the regulation and management of the Indian trade to the colonies, and also that Maryland was not "immediately interested therein" (pp. 266-267).

The Lower House appointed a committee to investigate the state of the criminal law with which step the Governor expressed his approval (pp. 273, 276).

Lord Botetourt's letter about the construction of a lighthouse at Cape Henry was read in the Lower House on October 19, 1770. The matter received favorable consideration. It was resolved that when Virginia had submitted an estimate of the cost of the building, then Maryland should join with her sister colony in erecting the lighthouse. Another resolution requested the Speaker of the Virginia House of Burgesses to inform the Maryland Delegates as to the amount or quantity of the tonnage of vessels entering Virginia ports from other places, excepting Maryland. Governor Eden was requested to furnish similar information about shipping in Maryland. This data was to be made available both to the Lower House in Maryland and to the Virginia House of Burgesses. The Maryland Delegates explained that it was necessary to have this information about the relative amount of shipping in each colony in order to be able to apportion the expense of building a lighthouse (pp. 266, 273-274).

After thanking the members of the Lower House for having taken favorable action about the construction of a lighthouse on Cape Henry, Governor Eden promised to let them have the data which they had requested (p. 276 and Appendix VII; also see *Arch. Md.* LXI, xlv-xlvi). Although nothing further was done at this session, the Maryland Assembly in 1773 did appropriate money for building and maintaining a lighthouse at Cape Henry (Hanson's *Laws of Maryland*, November-December session, 1773, Chap. XXIX).

So far the relations between Eden and the Delegates had been pleasant enough. On October 30, 1770, the Lower House received a report which ended this cordial relationship. It was submitted by the Committee of Grievances and Courts of Justice, which, as we have seen, was appointed at each session of the legislature. The report charged that William Steuart, as Clerk of the Land Office, had taken, contrary to the law, "notes of hand" for the payment of excessive fees and that he had also imposed an oath as Justice of the Peace not required by law. It appears that Steuart claimed that as the fees had been authorized by Benedict Calvert and George Steuart, Judges of the Land Office, their collection was not illegal (pp. 294-295).

This report involved one of the most controversial acts ever enacted by the General Assembly. It was entitled "An Act for amending the Staple of Tobacco, for preventing Frauds in his Majestys Customs, and for the Regulation of Officers Fees." It was enacted in 1763. The reason this act was important was that tobacco was still the currency of Maryland. In order to prevent changes in value it was given a fixed specie value. In certain cases specie could be paid instead of tobacco at the fixed rate. As is stated elsewhere, the act was the subject of much discussion between the Upper and Lower Houses (pp. xxix-xxxi). Some sort of a compromise might have been worked out but for the unyielding attitude of the Upper House on the question of the fees of public officers. The Councillors would not consider any reduction in these fees.

This attitude was subject to criticism. Members of the Council held the most lucrative positions in the colony. Walter Dulany was the Commissary General (p. 298), a position previously held by Daniel Dulany (p. 409), and Benedict Calvert and George Steuart had been appointed Judges of the Land Office. These men were naturally opposed to any reduction of their fees. Unfortunately, as members of the Council they also constituted the Upper House. Accordingly, when, in the latter capacity, they argued against the reduction of their fees as colonial officers, the members of the Lower House could hardly be expected to believe that the position taken by members of the Upper House was free from personal interest (p. 430).

The act for amending, or regulating, the staple of tobacco, which had been passed in 1763, expired on October 22, 1770, while the Assembly was in session. This is why Benedict Calvert and George Steuart had instructed William Steuart, their clerk and agent, to charge the same fees as provided for in the act which had expired. This action of Calvert and George Steuart was condemned in the report of the Committee of Grievances and Courts of Justice. As a result of that report the Lower House, on November 1, took action. The Delegates asserted that they had the sole right to impose or fix taxes or fees



with the assent of the Upper House. Therefore any attempt to collect such fees because of instructions from proprietary officials, as William Steuart had alleged, was arbitrary and unconstitutional. To answer for what the Delegates considered actions not warranted by law, the serjeant-at-arms was ordered to seize Steuart and bring him before the Lower House (pp. 300-301).

When brought before the House, Steuart defended his actions on the same grounds which he had previously given. Thereupon, for his offences and contempt of the House the Delegates committed Steuart to jail. On the following day, which was Friday, November 2, 1770, Governor Eden prorogued the General Assembly to meet on Monday, November 5th. As William Steuart was then no longer under the authority or jurisdiction of the Lower House, this brought about his release from prison (pp. 304-305, 307).

When the Delegates convened on Monday, nothing daunted, they again ordered the Serjeant-at-Arms to bring Steuart before them. They justified their action by citing the same reasons which they had given for the first arrest (p. 374). Three days later, on November 8, the Delegates sent a "humble Address" to Governor Eden. The language used, however, was far from being of that description. They described the Governor's prorogation of the General Assembly as "an undue and ill advised Exertion of Power." And the "true Cause" of Eden's action, the Lower House claimed, was to secure the release of Steuart from prison. The Delegates defended their action in having Steuart committed to jail by referring to the report of the Committee of Grievances and Courts of Justice and also to their own resolutions following that report. The attempt of Benedict Calvert and George Steuart to regulate fees "by Proclamation" was criticized by the members of the Lower House (pp. 379-380).

On November 20 Governor Eden replied to this address. After expressing his disapproval of the spirit which prompted the message of the Lower House, Eden maintained that his action in proroguing the General Assembly was not ill advised. When, he said, a subject was illegally deprived of his liberty, it became the duty of the executive to release him. In this particular instance, William Steuart, after his commitment to jail, had petitioned him for relief against the arbitrary action of the Lower House.

The Governor took the position that if Steuart had committed the offences, described by the Delegates, then he should have been tried before a law court and not by the Lower House. As he could not stand by and see the House of Delegates assume such power, as they had claimed, he had felt it his duty to prorogue them. After reading the letter which Benedict Calvert and George Steuart had sent him defending their actions, the Governor said that he could not see "any Irregularity in their Conduct" (pp. 421-427).

Despite the Governor's reasoning, the members of the Lower House stood firm. On motion, they unanimously resolved that they were invested with the power to commit to prison by way of punishment any person for contempt; that they also had authority as "the grand Inquest of the Province" to hear and enquire into all complaints and grievances, and, as incidental to that authority, a power to commit any person to jail for crime. Furthermore, the



Delegates maintained, the Lord Proprietary through his officials had no right to regulate the fees of the officers of the Land Office (p. 431).

Fearful, no doubt, lest the Lower House would again imprison William Steuart, Governor Eden, on November 21, once more prorogued the General Assembly (p. 432).

Five days later, on November 26, 1770, Eden issued a proclamation directing that no officer or officers, "the Judges of the Land-Office excepted, who are subject to other Regulations to them given in Charge," should demand or receive any greater fees than provided for in "An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees," passed in 1763. Two days prior to this an order had been issued in the name of the Lord Proprietary regulating the fees that could be charged by the Judges and Registers of the Land Office. When the General Assembly met again in October, 1771, the proclamation and order were condemned as "illegal, arbitrary, unconstitutional and oppressive." No agreement about the Act of 1763 could be reached, however, until the session of the Assembly which met in November and December, 1773 (Green's *Votes and Proceedings of the Lower House of Assembly*, October–November, 1771, pp. 18, 19, 20–21, 84; Green's *Laws of Maryland*, November–December, 1773, Chaps. I, XXI; *Maryland Gazette* Dec. 13, 1770).

#### RELATIONS BETWEEN THE UPPER AND LOWER HOUSES, 1769–1770

The act for amending or regulating the staple of tobacco, mentioned in the previous paragraph, was one of the most controversial laws ever passed by a Maryland Assembly. Since its enactment in 1763, it had always been the subject of much debate. For the original act and acts supplementary thereto and a discussion of the same, see *Archives of Maryland*, LVIII, xxix, xxxi, xxxv, xxxvii, lvii, lix–lx, 433–497; *ibid.* LIX, 294–296; *ibid.* LXI, xxxvii, 222, 243–247.

A committee, appointed by the Lower House on November 18, 1769, to determine what laws would expire that session unless continued, reported a few days later that this much debated tobacco law was one of them (pp. 40, 44–45). After a discussion of the act, it was continued until October 1, 1770 (pp. 59–60, 61, 62–63, 78, 82–83, 123).

Naturally, when the next session of the Assembly opened on September 25, 1770, the act for amending or regulating tobacco, etc., was again listed as a law which would soon expire (p. 212). On September 29 the act was continued until October 22 (pp. 175, 213–216, 308).

As the Assembly was still in session when this law expired on October 22, the bill again came before both Houses. On the day the law became a dead letter, the Upper House informed the Delegates that if they would consent to some amendments to the bill, the Councillors would be willing to pass the act. The suggested amendments dealt with a number of subjects including, among others, the time tobacco inspectors should spend in performing their duties, what should constitute a lawful tender of tobacco and when money could be paid instead of tobacco (pp. 187–188, 272).

When this message about amendments was read in the Lower House, it was "unanimously disagreed to" (p. 272). No favorable action was taken by the Delegates before the end of the session, in fact they did not even deign to reply to the suggestions made by the Upper House (pp. 290, 299).

On November 8, 1770, three days after the Assembly had reconvened, the members of the Upper House sent another message to the House of Delegates in regard to the same bill. While the Councillors thought the bill exceptionable in many respects, however, as the welfare of the colony depended upon the regulation of their staple of tobacco and the fees of officers, they proposed a conference with the Lower House for the purpose of discussing the provisions of the act in question (pp. 349-350, 378).

In their reply to this message on the following day the Delegates said that if the Upper House thought the bill exceptionable in many respects, then the Councillors should point out the amendments they have to propose in order that the Lower House could consider them. Then, if the Delegates decided that it was expedient, they would agree to a conference with the Upper House (pp. 351, 383-384).

The Councillors sent back a message the very next day. They claimed that there were several precedents for their suggesting a conference to discuss the bill. To point out all the amendments, or exceptions, they made to the bill would take much time, they added. However, the members of the Upper House then proceeded to state a few general propositions regarding the bill, including suggestions about the regulation of officers' and lawyers' fees, and the payment of fees in money or tobacco (pp. 352-353, 390).

The Lower House answered the Upper House on November 12 giving their opinion of the propositions submitted by the Councillors (pp. 356, 394-396). The members of the Upper House continuing the discussion on the following day protested against reductions in officers' fees (pp. 356-357, 397-398). In their reply of November 15 the Lower House maintained that they had no desire to reduce the fees of officers so low as not to be sufficient to support a particular office. The Delegates suggested that all provisions in the bill under discussion relating to officers' fees should be eliminated. Then with this understanding, a conference of the two Houses could be held for the purpose of coming to an agreement in regard to the other less contested provisions of the bill (pp. 359, 401-402). The Upper House, however, did not look with favor on this suggestion (pp. 360-361, 406).

The inter-house debate was continued by the Lower House on November 17. Going into great detail they pointed out instances where, they considered, excessive charges had been made under the provisions of the act in question (pp. 363, 411-415). In an equally lengthy reply, on November 20, the members of the Upper House claimed that they had always been willing to remedy defects in the provisions regarding the regulation of fees (pp. 366-369, 421).

As no agreement could be reached between the two legislative bodies before the end of the session on November 21, 1770, the Act of 1763 regarding the staple of tobacco and officers' fees failed of reenactment. On the closing day of the session the Lower House unanimously adopted resolutions which con-

demned the attitude of the Upper House. In these "Resolves," which were ordered published in the *Maryland Gazette*, not only was the position taken by the Councillors characterized as manifesting "an unreasonable Attachment to the Emoluments of Office," but instances were given of "illegal and oppressive" charges of fees (pp. 429-431; *Maryland Gazette*, Dec. 6, 1770).

Soon after this Elie Vallette, Register of the Commissary General's Office, published a statement defending as legal the fees charged in his office (*Maryland Gazette*, Nov. 29, 1770). Reverdy Ghiselin, Clerk of the Provincial Court and Secretary's Office, issued a similar statement about the legality of fees charged in the Secretary's Office (*ibid.* Dec. 6, 1770).

Despite the condemnatory resolutions of the Lower House and his own dispute with that chamber in regard to the arrest of William Steuart, Governor Eden went ahead, and, five days later, as we have seen, issued a proclamation fixing officers' fees according to the provisions of the expired Act of 1763.

Another bill which was the subject of much dispute between the Upper and Lower Houses was entitled "An Act for Issuing Writs of Replevin Out of the County Courts of this Province." The reason for its being an issue is explained and a copy of the proposed bill itself can be found in the *Archives of Maryland*, Vol. LXI, xxxviii, xl, cvi, 503-504, which contains the Proceedings and Acts of the General Assembly for 1766-1768. Even before this the bill had come up for consideration (*Arch. Md.* LVI, xxvii, xl-xli; *ibid.* LVIII, xxxviii; *ibid.* LIX, xxxvii). As the preamble to the bill recited, it was introduced to remedy the inconvenience caused people living at a distance from Annapolis who had to come there to the Chancery Office in order to obtain writs of replevin.

When the General Assembly convened during November, 1769, the same bill was introduced (p. 11). The Upper House proposed amendments to the bill to which the Lower House would not agree. The Delegates said that they could not imagine that the Governor, as Chancellor, would mind the trifling loss in fees that would result from the passage of this bill long desired by the colonists (pp. 15, 17-18, 31, 55, 66, 67, 68-69, 72-73). The Councillors did not think the Governor was so much concerned about the loss in fees as he was afraid if the Lower House were successful in having the bill passed as drawn up it would be a precedent for other similar attacks upon the proprietary (pp. 26-28, 86).

The bill in regard to issuing writs of replevin was again introduced during the sessions of the Assembly which met from September 25 to November 2, 1770, and from November 5 to November 21 of the same year (pp. 191, 348). As the two Houses could not agree it once more failed of passage (pp. 201, 363, 377, 415).

On another bill the Upper and Lower Houses could come to no agreement and that was one entitled "An Act to enable the Commissioners for Emitting Bills of Credit to Pay to John Duckett, William Mills and John Peacock the Sums of Money therein mentioned." The Delegates on November 16, 1770, returned this bill to the Upper House with the comment that as they claimed the exclusive right to originate financial bills, the proposal of the Councillors to make Duckett an allowance in the Journal of Accounts was an infringement



of that right (pp. 362-363, 377, 393, 407-408). The upper chamber in their reply to this message four days later maintained that in many cases they had exercised what they considered their right to amend bills for the appropriation of public money. Accordingly, they denied the contention made by the lower body as to their exclusive rights in financial matters (pp. 364-365, 418-419).

Still another controversial subject upon which the two Houses could not agree was the bill for raising four pence on each hogshead of tobacco exported out of the province "for the Support of an Agent at London, for the Service of the Province" (pp. 24, 84, 259, 263). This bill failed to pass as it had during previous sessions of the Assembly (*Arch. Md.* LXI, x, xxiii, xxix, xxxix, xlviii, lxxv, lxxvi-lxxix; *ibid.* LIX, lvi-lvii). Because the Lower House would not agree to the amendments proposed by the Upper House to "An Act to Ease the Inhabitants of this Province in the Payment of Attorneys Fees," it never became a law (pp. 194, 200, 290, 303-304, 370, 427). For the same reason a bill "for enforcing the Payment of Public Monies" was not enacted (pp. 24, 28, 85, 92).

As the Lower House considered them sufficiently important to order that they should be printed in the *Maryland Gazette* two general bills introduced while the General Assembly was in session in 1769 and 1770 are reproduced in Appendix IX and X. One of the proposed laws was entitled "An Act to redress the Evil arising from the Variation of the Compass in surveying Lands." This bill was introduced at each session of the Assembly which met during 1769 and 1770. In addition to having this bill printed in the *Maryland Gazette*, the Delegates ordered copies of it printed and sent to the members of the Upper and Lower Houses of the Assembly. During the third and last session from November 5-21, 1770, it was referred to the next session of the General Assembly after that (pp. 45, 52, 74, 81, 261, 285, 289, 292, 299, 398). This question had come up for discussion at the May 24-June 22 session of the Assembly in 1768 (*Arch. Md.* LXI, xlix, xlix-xl).

The other bill was entitled "An Act for the more effectually preventing the buying and selling of Offices, and to prevent Simoniackal Contracts." This act was introduced during the session of the Assembly which met from September 25 to November 2, 1770. Amendments to the bill were proposed by the Upper House to which the Lower House would not agree. Despite the publicity each bill received by being published in the *Maryland Gazette*, neither was enacted before the Revolution (pp. 199, 202, 291, 296, 302-303, 306).

#### RELATING TO THE DIGNITY AND AUTHORITY OF THE LOWER HOUSE, 1769-1770

As the following incidents show the Lower House was very careful to uphold its dignity and authority as a legislative body. The first of such cases was involved in the passage of a bill entitled "An Act for appointing Places for holding the next Election of Delegates for Baltimore County." It appears that on December 1, 1769, John Paca and six other freeholders, of Baltimore County, petitioned the Upper House that on account of the smallpox prevailing in Baltimore Town, the Sheriff should hold the election of Delegates for that county at Joppa as well as at Baltimore Town.



A bill embodying this plan was introduced in the Upper House on December 4th. On the following day other inhabitants of Baltimore County petitioned the Councillors against the passage of such a law. This petition was rejected, however, and the bill introduced on December 4th was passed with an amendment making Bush Town, on the Bush River, instead of Joppa, the alternate place of holding the election in Baltimore County (pp. 12, 14, 16, 126-127).

Not long after the Assembly reconvened on September 25, 1770, the Lower House sent a message to the Upper House which referred to the petition of those inhabitants of Baltimore County who had protested against the passage of the law as enacted. The Delegates contended that the petition reflected upon the proceedings in the Lower House, and asked that it should be given to them in order that they take such steps as were necessary to maintain their rights and privileges. Severe weather had compelled the Lower House to postpone the consideration of this matter to the present session (pp. 117, 177, 221, 222-223).

In their reply to this message, the Councillors said that as the petition to which reference had been made had been rejected by them it had been withdrawn by the parties who had presented it. Under these circumstances and also as no copy had been made, it was impossible to comply with the request of the Lower House (pp. 178, 223).

This discouraging reply did not deter the Delegates from going ahead with their plan to uphold their dignity as a legislative body. On October 13 there was introduced in the House what purported to be a copy of the petition which had been presented by some of the inhabitants of Baltimore County to the Upper House. In this petition it was claimed that the bill providing for holding an election in Joppa, as well as in Baltimore Town, because of the prevalence of smallpox in the latter place, was introduced to please a few individuals and was of no benefit to the public. The petitioners further maintained that the bill was repugnant to the laws and customs of the colony, that it provided for a new mode of election based upon the assertions of a few individuals, not supported by, but "devoid of Truth."

After considering this petition, the Delegates ordered the serjeant-at-arms to take into his custody the men who had signed it to answer before them for their false and scandalous petition which reflected on "the Honour, Justice and Impartiality of this House, and highly derogatory of it's Rights and Privileges" (pp. 251-253).

Several days later, John Smith, John Purviance and James Sterrett, appeared before the Lower House. As all three testified that they had never signed the petition in question, all three were discharged.

Some of those who were signers of the petition wrote a letter of apology to Edward Tilghman, Speaker of the Lower House. They said that they hoped that the Delegates would accept this written apology and excuse their personal appearance before the House because of the inconvenience it would cause them.

Far from accepting this kind of apology, the members of the Lower House resolved that all who signed the letter of apology were guilty of contempt of the order of the House by not appearing in person. According to the testimony of Philip Meroney, deputed by the serjeant-at-arms to serve the order of the

House, two of the men who had signed the letter, told him that they would appear before the Delegates if it suited them, but they were not sure whether they would or not.

As a consequence of taking such an attitude, these, as well as the men who had signed the petition, were brought before the Lower House (pp. 267-271). Two of the signers said that they were ignorant of the contents of the petition. This excuse was accepted. One man was discharged, who, though he admitted having signed the petition, claimed that he had never read it, while another went free by maintaining that some one else must have signed his name (pp. 288-289, 290, 292, 293).

In connection with the election in Baltimore County another petition was presented on November 18, 1769, by some of the inhabitants of that county. This petition, which was introduced in the Lower House, complained of the "Mal-Conduct" of Daniel Chamier, the Sheriff, and the "illegal return of Representatives." The Delegates ordered Chamier to appear before them and to bring with him the polls and proceedings in the recent election (p. 41).

A few days later, however, the Lower House reconsidered their action. This change was due to the fact that Sheriff Chamier coming from Baltimore Town, where there had been smallpox, might communicate the disease to some of the Delegates. Accordingly the charge made against Chamier was referred to a committee of five with instructions to enquire into the evidence and then to report to the House (p. 52).

When this committee, on November 30, reported on the length of the prior notice of the election the sheriff had given, the Delegates decided that this was not sufficient notice and therefore the election was void. Again Chamier was ordered to appear before the Lower House (pp. 55-57).

At his trial before the House of Delegates, after consideration of the evidence, it was decided that as the sheriff had been guilty of misconduct during the election in Baltimore County he should pay the cost of the petitioners' complaint against him. Chamier was also admonished to be more circumspect in his conduct in the future (pp. 75-77; see also *Arch. Md.* LXI, xci-xciii).

This was not the only time that Daniel Chamier found himself in trouble. On another occasion at another and later session of the Assembly the Committee of Grievances and Courts of Justice reported that the sheriff had been guilty of an illegal distress made on the personal effects of Job Garretson, of Baltimore County, who had complained about Chamier's action. As a result of his trial before the House, the sheriff was compelled, as before, to pay the cost of the complaint (pp. 386-387, 402-403).

The authority of the Lower House was involved in the case against Richard Lee, Jr., sheriff of Charles County. Lee, it appears, was accused by John Doncastle and William Wright of cruel treatment while they were prisoners under his charge (p. 45). The Committee of Grievances, to whom the matter was referred, said that it would be necessary to have the testimony of the prisoners themselves in order to come to a decision. The Delegates did as was suggested by issuing the necessary instructions. When Lee did not appear before the House with the prisoners, the serjeant-at-arms was ordered to seize

the sheriff for his contempt and bring him before the Lower House. As Lee had gone to Virginia it was impossible for this order to be carried out (pp. 46, 48, 51, 67-68, 73-74).

The Delegates now resolved that a message should be sent to Governor Eden requesting him to remove Lee from his office of sheriff. This was done. In the address to the Governor the condition and size of the room in which Lee had confined his prisoners was mentioned and how he had one of them whipped by a slave. Eden promised the Lower House to make a full investigation (pp. 74, 86-88, 91: see also Appendix VIII and Volume XXXII of the *Archives* which contains numerous references to this case).

After hearing all the evidence, the Governor and his Council decided to keep Lee in office (*Arch. Md.* XXXII, 367-368). The Lower House only succeeded in making Lee pay for the costs of Doncastle's and Wright's complaints of maltreatment (p. 116).

#### LEGISLATIVE ENACTMENTS

##### NEW GENERAL ACTS OR NEW ACTS SUPPLEMENTARY TO OLD GENERAL ACTS, 1769-1770

A general act was one which applied to the province as a whole. During the session of the General Assembly, which met in November and December of 1769, one of the most important acts of that character which was passed was entitled "An Act for emitting Bills of Credit and other Purposes therein mentioned." As the preamble to the law stated, it was thought that an issuance of bills of credit would expedite the carrying on of trade and commerce in the colony (pp. 133-151). Similar financial questions had arisen during previous sessions of the General Assembly (*Arch. Md.* LXI, xxxii, xcix-cii, 264-275; *ibid.* LIX, lx, lxii).

Several notices appeared in the *Maryland Gazette* in regard to the new bill. In the issue for November 30, 1769, it is stated that it is understood that the Lower House had resolved to bring in a bill for emitting bills of credit, on loan, to the amount of 300,000 dollars, in order to supply the province with a circulating medium at the time much needed. In subsequent issues of the same newspaper there were printed notices by the Commissioners appointed under this act that their office would be open on a certain day for the issuance of new bills of credit (*Maryland Gazette*, Mar. 1, Aug. 2, 9, 16, 30, Sept. 6, 1770). The Governor had appointed Robert Couder (or Couden) and John Clapham commissioners for emitting bills of credit (*ibid.* Jan. 4, 11, 1770).

A notice in the *Maryland Gazette* on December 28, 1769, calls attention to the fact that in "An Act for emitting Bills of Credit, or other Purposes therein mentioned; a Sum of Money, not exceeding £7500 Sterling, is appropriated to the building an Edifice, in this City where the present Stadt-House now stands, sufficient to accommodate the Upper and Lower Houses of Assembly, the High Court of Appeals, Chancery and Provincial Courts, of this Province." A few days later the superintendents appointed under the terms of the same act published a notice requesting any who had "Plans and Estimates" should



submit them before the seventeenth day of April. Any one who wished "to overlook the Execution of the Plan" should apply at the same time (*Maryland Gazette*, Jan. 4, 1770).

Another general act passed at the session of the Assembly which met during November and December, 1769, dealt not with a financial matter, but with the administration of justice. The law was entitled "An Act for preventing the Evil occasioned by Continuance of Suits at Law on Suggestion of want of Evidence from beyond the Sea." In order to prevent long drawn out lawsuits this act required a party to a suit to make an affidavit that a material witness, whom he had tried to procure, was absent. Otherwise the case must come up for trial (pp. 167-168).

Two new supplementary acts were passed at the November-December session which also were connected with the administration of justice. One was entitled "A Supplementary Act to the Act entitled an Act for the Direction of Sheriffs in their Offices and restraining their ill Practices within this Province." This act required sheriffs, who took any mortgage, promissory note, or bill of exchange, to endorse on it an account of the consideration for which it was passed (pp. 151-153). This supplemented the original act of 1715 (*Arch. Md. XXX*, 264-270).

The other supplementary act was entitled "An Additional Supplementary Act to the Act entitled an Act to prevent the abuses of concealing convicted Felons and other Offenders imported into this Province and for the better Discovery of Them." As the preamble recited, this act sought to prevent felons from passing as reputable persons or being accepted as witnesses (pp. 165-167). The original act was enacted in 1728 (*Arch. Md. XXXVI*, 298-302) and the first supplementary act in 1729 (*ibid.* 492-493).

The General Assembly which met from September 25 to November 2, 1770, passed three new general laws regarding the judicial system. One of these laws was entitled "An Act for Abolishing June County Courts and for other Purposes therein mentioned." As it was found that holding the court during June interfered with "the necessary Business of the People," August instead of June was selected for holding the county courts (pp. 313-314). Because so many of its members were sick or at the meeting of the General Assembly was the reason for the passage of "An Act for the Adjournment and Continuance of the High Court of Appeals and for the Adjournment of the Provincial Court and other Purposes therein mentioned" (pp. 314-315). In order to break up the practice of some of the County Clerks who took home with them County Court records was the object of "An Act to oblige the several County Clerks to have with them on their Office Days the four last Court Dockets and papers" (p. 321).

No general acts were passed by the General Assembly which met from November 5 to November 21, 1770.

#### GENERAL ACTS EXPIRING, MODIFIED OR CONTINUED, 1769-1770

During each of the three sessions held during 1769-1770 the Lower House appointed a committee to enquire what laws would expire unless continued



(pp. 40, 209-210, 387). It should be explained here that many of the laws were passed with a three year duration provision and were to continue in force thereafter until the close of the Assembly which met after the end of the three year period. This was done in order to prevent the province being without a particular law should no session of the Assembly be held during the three years following the enactment of that law.

On November 21, 1769, the committee which had been appointed to investigate what laws would expire during the session, which opened on November 17, made their report. They stated that eleven acts would expire at the end of that session unless continued. Only two of these laws, however, were allowed to expire. They were: "An Act to prevent the Mischiefs arising from the Multiplicity of useless Dogs, and other Purposes therein mentioned," and "An Act for Tryal of all Matters of Fact in the several Counties where they have arisen or shall arise" (pp. 40, 44-45).

The original act regarding "dog licensing" has been the subject of much discussion in the General Assembly before it became a law during the November-December session held in 1765 (*Arch. Md.* LIX, xiii, xxxiv, 274-278). The law was again debated at the session held in November and December of 1766. As a result an act supplementary to the original act of 1765 was passed (*Arch. Md.* LXI, xxxvii-xxxviii, 241-242). As no steps were taken during the Assembly which convened on November 17, 1769, to renew the act of 1765, or the one supplementary thereto, both expired when the session ended in December.

It was during the May, 1766, session that the General Assembly passed the act in regard to the trial of matters of fact in the several counties (*Arch. Md.* LXI, xxiv-xxv, 75-82). Since no action was taken to continue this law, it, too, expired (pp. 183, 189, 274).

The General Assembly met twice during 1770. The first session lasted from September 25 to November 2: the second session from November 5 to November 21. On September 27, soon after the opening of the first session, the committee investigating what general laws would expire unless reenacted reported that two laws came within that category. One of these laws was "An Act for amending the Staple of Tobacco for preventing frauds in his Majesty's Customs and for the Limitation of Officers fees." This act by its terms would expire on October 1, 1770, unless renewed (pp. 123, 212). The Assembly which met September 25 to November 2, 1770, continued the act in force only until October 22 (p. 308). As no favorable action was taken to extend the act beyond that date it expired at that time. The act and its importance are discussed elsewhere in this introduction (pp. xxvii, xxix-xxxi).

The other general law which it was reported would expire unless continued was "An Act for the speedy and effectual Publication of the Laws of this Province and for the Encouragement of Ann Catherine Green of the City of Annapolis, Printer" (p. 212; also see *Arch. Md.* LXI, lxxxiv-lxxxvi, 455-458). According to the provisions of this law it would be effective until December 25, 1770 (pp. 156-159). No action being taken to extend the act beyond that date at either of the sessions of the Assembly held during 1770 it expired at that

time (p. 272). When, however, the General Assembly met again in 1771 and 1773 a similar law was passed (Green's *Laws of Maryland*, 1771, Chap. XXXIV; 1773, November–December session, Chap. XXII). Ann (or Anne) Green, as administratrix of Jonas Green, had difficulty in making those who had owed her husband money pay their debts (*Maryland Gazette*, Aug. 25, 1768), as well as in collecting from subscribers to the newspaper which she and her husband printed (*Maryland Gazette*, Feb. 9, 1769).

The committee, which was appointed by the Assembly which met from November 5 to 21, reported that there was one general act entitled "An Act for the Benefit of the Poor, and the Encouragement of Industry" would terminate with the close of that session unless renewed (pp. 387, 394). This act had been passed in 1765 (*Arch. Md.* LIX, xxxii–xxxiii, 267–269). As nothing was done to continue this act it expired at the end of this session.

One general act was modified, or limited, in its application by the General Assemblies which met during 1769 and 1770. This law, passed in 1728, was entitled "An Act to encourage the destroying of Wolves, Crows, and Squirrels," and applied to all counties (*Arch. Md.* XXXVI, 278–281). When the Assembly met in 1765, and again in 1766, acts were passed which stated that the provisions of this law would no longer apply to certain counties (*Arch. Md.* LIX, 309–311; *ibid.* LXI, 222–223). The Assembly meeting during November–December, 1769, continued these same limitations (pp. 44, 153). At the September 25–November 2 session of 1770 Queen Anne's County was added to the list of those counties in which the original act would no longer apply (p. 328).

As has been stated, the committee appointed by the Assembly to enquire what laws would expire during the session which met in 1769, reported that eleven general acts in all came under that classification. Two of these acts, it was seen, were allowed to expire, while a third, as we have just noticed, was modified or limited in its application. Of the other eight general laws which were continued or reenacted, two dealt with the administration of justice, two referred to currency, and one related to the publication of the laws of the province. Of the three remaining acts one was concerned with the repair of public roads, another with the height of fences, while the third dealt with quarantine of vessels.

"An Act to encrease the Allowance of Jurors attending the Provincial and County Courts, and for other Purposes therein mentioned," was one of the two acts relating to the administration of justice which was continued by the General Assembly which met in November and December of 1769 (pp. 44, 122). The original act had been passed in 1765 (*Arch. Md.* LIX, xxxviii, 303–305). The other law, which referred to legal or judicial matters, was entitled "An Act to ease the Inhabitants of this Province, and to empower the Justices of the several Counties, to bind out Persons therein mentioned, Apprentices" (pp. 44, 121). This act had been passed at the session of the Assembly held in November and December of 1766 (*Arch. Md.* LXI, xxxiii–xxxiv, lxxvi, 235–238).

Of the two general acts referring to currency, which were continued by the Assembly that met during November and December of 1769, one was entitled "A Supplementary Act to the Act entitled an Act for ascertaining what Damages shall be allowed upon Protested Bills of Exchange" (pp. 44, 123). This act

had been passed in 1765 (*Arch. Md.* LIX, 264). The other act relating to currency which was renewed by the same Assembly was called "An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs and for the Limitation of Officers Fees." This law was continued to October 1, 1770 (pp. 44-45, 123). The subsequent fate of this act has been discussed in this introduction (pp. xxix-xxxi). "An Act for the speedy and effectual Publication of the Laws of this Province and for the Encouragement of Ann Catherine Green of the City of Annapolis, Printer" was continued by the Assembly of 1769 until December 25, 1770 (pp. 45, 156-159). What happened to this law later has also been mentioned elsewhere (pp. xxxvii-xxxviii).

Three general laws which were continued by the Assembly which met in 1769 remain to be considered. One was entitled "An Act for repairing the Publick Roads in this Province and the Supplementary Act thereto" (pp. 44, 121). This act had been passed in 1753 (*Arch. Md.* L, 297-298), and in 1756 a supplementary act has been passed to the original act (*Arch. Md.* LII, 534-536). The original and supplementary acts were subsequently reenacted at later sessions of the General Assembly (*Arch. Md.* LVI, 133-134; *ibid.* LVIII, 189-190; *ibid.* LIX, 293).

The law regarding the height of fences which was continued had a lengthy title as well as history. It was called "A Supplementary Act to the Act entitled An Act ascertaining the Height of Fences to prevent the Evil occasioned by the Multitude of Horses and restraining Horse Rangers within this Province and to redress the great Evil accruing to this Province by the Multiplicity of useless Horses, Mares and Colts that run in the Woods" (pp. 44, 154-156). In brief what was being reenacted here was not a supplementary act to an old general act, but the supplementary act itself. This is understandable when we find that the original act on this subject had been passed in 1699, or seventy years ago (*Arch. Md.* XXII, 477-478). Since that time the law had frequently come up for discussion and renewal (*Arch. Md.* XXVI, 309-312; *ibid.* XXVII, 373; XXX, 293-297; XXXVIII, 11, 166). The supplementary act which was renewed by the Assembly that met in 1769 had been passed in 1750 (*Arch. Md.* 483-485), and continued in force thereafter by subsequent Assemblies (*Arch. Md.* L, 282-283; *ibid.* LV, 130-131; *ibid.* LVI, 392; *ibid.* LVIII, 424-425; *ibid.* LXI, 224-225).

Another general law to be continued by the Assembly that met in 1769 dealt, as has been said, with the subject of quarantine and was entitled "An Act to oblige infected Ships & other Vessels coming into this Province to perform Quarantine" (pp. 44, 122). This law had been passed at a session of the General Assembly which met during November and December of 1766 (*Arch. Md.* LXI, xiii, xxxiii, xciii-xcv, 262-264).

No general acts were continued at either of the two sessions of the General Assembly held in 1770 (pp. 212, 394).

#### LOCAL ACTS, 1769-1770

Acts of this type did not, as was the case with general acts, apply to the province as a whole. The General Assembly, which met during November and December of 1769, passed five local acts. Two of these laws dealt with the



construction of new churches and one with parish boundaries. St. Luke's Parish, in Queen Anne's County, was one of the two places where the building of a new chapel, or church, was authorized (pp. 128-129). The other was to be built in Christ Church Parish, Calvert County (pp. 164-165). Soon after the enabling act was passed regarding the parish in Calvert County a notice was published that any one who desired to contract for building the church should submit his plans on March 8, 1770. The dimensions of the new structure were to be sixty by forty feet (*Maryland Gazette*, Feb. 1, 1770). The local act in regard to parish boundaries referred to those between the three parishes of St. Luke's, Christ Church, and St. John's, all in Queen Anne's County, and St. Paul's Parish, situated partly in Queen Anne's and partly in Talbot County (pp. 129-133).

A petition for the construction of a new chapel in Prince George's Parish, located partly in Frederick and partly in Prince George's County, was rejected at this session of the Assembly. It appears that at a vestry meeting in Prince George's Parish on February 21, 1769, it was decided to ask the next General Assembly for an act to empower the justices of the two counties in which the parish was situated to levy on the taxable persons in the parish 192,000 pounds of tobacco in order to build a new brick church where the old one then stood (see Appendix VI). A notice giving this resolution of the vestry was published (*Maryland Gazette*, Mar. 9, 1769).

At subsequent meetings of the same vestry on May 9 and June 13 it was the opinion of those present that the amount of the assessment requested should be reduced from 192,000 pounds of tobacco to 128,000 pounds (Appendix VI). A few days after the General Assembly convened on November 17, 1769, a petition asking this amount to build a new church was presented. The members of the Lower House would not favorably consider the same "for want of due Notice agreeable to the Resolve of this House" (pp. 7, 42, 66). Better luck awaited the same petition when it was again introduced during the Assembly which met from October 2 to November 30, 1771. However, only 96,000 pounds of tobacco were allowed for the construction of the church which was just half the sum originally desired (*Green's Laws of Maryland*, 1771, chap. III).

Of the other two local acts passed by the Assembly in 1769, one referred to education in Frederick County and the other to an election in Baltimore County. The former act appropriated ground to the use of a public school in Frederick Town (pp. 153-154). Prior to the passage of this law, a notice appeared in the *Maryland Gazette* stating that as the funds which had been allowed by the General Assembly were insufficient to build a school it was proposed to raise the balance of the money by a lottery (*Maryland Gazette*, Nov. 2, 1769). Since smallpox had broken out in Baltimore Town, a local act was passed making it legal for inhabitants of Baltimore County to vote elsewhere (pp. 126-127). By the provisions of a law passed the previous year elections had to be held in Baltimore Town (*Arch. Md.* LXI, xlix, lii, lxxxvi-xc, 442-445). By not having to vote in Baltimore Town, freeholders would not run the risk of catching the disease. This new local act has been previously discussed in another connection (see introduction, pp. xxxii-xxxiv).



The General Assembly, which met from September 25 to November 2, 1770, passed nine local acts. Five of these authorized the construction of new chapels, or churches, while one dealt with the division of a parish. Somerset Parish, in the County of the same name, Stepney Parish, situated partly in Somerset and partly in Worcester Counties, St. Paul's Parish, which was located partly in Queen Anne's and partly in Talbot Counties, Chester Parish, in Kent County, and Queen Anne's Parish, in Prince George's County, were the parishes where the new churches, or chapels, were to be built (pp. 312-313, 317-321, 328-331). In Appendix IV will be found letters and vestry proceedings regarding the rector of Chester Parish, in Kent County, while at the end of Appendix VI there is an extract from the vestry proceedings of Queen Anne's Parish, in Prince George's County for October 14, 1770, which reads:

The Vestry being Informed that the parish Petition for a new Church is mislaid or Lost. Ordred that the Clk. send a Copy of Said petition to this Assembly now Sitting.

The act regarding the boundaries of a parish provided for the division of St. John's Parish, in Baltimore County (pp. 333-334).

Of the three other local acts passed by the Assembly meeting from September 25 to November 2, 1770, one related to education, one provided for the construction of a new court house, and the other referred to a nuisance. The act regarding education provided for the union of the schools in Somerset and Worcester Counties. One school building to be known as Eden School was to be erected (pp. 325-326). The new court house was to be built at Cambridge, in Dorchester County (pp. 326-328). The act relating to a nuisance gave Thomas Harrison additional time in which to fill in a marsh land near Baltimore Town (p. 317; *Arch. Md.* LXI, xxxv, xc-xci).

Although in session but a short time, that is, from November 5 to November 21, 1770, the next Assembly passed six local acts. Three of these related to church affairs. One provided for the establishment of a chapel of ease in St. Peter's Parish, in Talbot County (p. 443), another, a supplementary act, related to the building of a chapel in St. Luke's Parish, in Queen Anne's County (pp. 437-438). The original act to which this act was supplementary was passed at the November-December session of the General Assembly in 1769 (pp. 128-129). The third act provided for the division of All Saints Parish, in Frederick County, and for the erection of two new parishes by the names of Eden and Frederick. The division into three parts, or districts, was to go into effect upon the death, or removal, of Bennet Allen, the present Rector of All Saints Parish (pp. 450-451). Allen had previously protested such a division (pp. 284, 287, 297). During the years 1768-1771 this minister appeared frequently in the local newspaper (*Maryland Gazette*, Sept. 1, 22, 29, Oct. 6, 13, Nov. 10, 17, Dec. 1, 8, 1768; Oct. 4, Nov. 22, 1770; Jan. 3, 1771; see also Bennet Allen, Fighting Parson, by Josephine Fisher, *Md. Hist. Mag.* Vol. XXXVIII, 299-322; *ibid.* Vol. XXXIX, 49-72).

Of the three other local acts passed at that session one provided for adjournment and continuance of the Baltimore County Court (p. 433), while the other two acts related to Frederick County. One of the latter laid down rules and

regulations under which a market could be conducted in Frederick Town (pp. 438-441). It appears that money for finishing the market house and town hall in Frederick Town was raised by a lottery (*Maryland Gazette*, Dec. 8, 1768; Apr. 6, June 1, 1769). The other local act concerning Frederick County referred to the poor of that county (pp. 443-445). The original law entitled "An Act for the Relief of the Poor within the several Counties therein mentioned" was passed in 1768 (*Arch. Md.* LXI, xiii, xxxix, 1, xcvi-xcvi, 486-495).

Only one local act expired during the years 1769-1770 and that had the caption "An Act for amending and repairing the Public Roads in Baltimore County" (p. 212). This law was to be in force until October 31, 1770 (*Arch. Md.* LXI, xxxv-xxxvi, 259-262). As this act was not reenacted during the session of the Assembly which met from September 25 to November 2, 1770, it expired on the specified date. This act was, however, revived and continued by the General Assembly in 1771 and again in 1773 (Hanson's *Laws of Maryland*, 1771, Chap. XIV; June-July, 1773, Chap. III).

#### PRIVATE ACTS, 1769-1770

Such acts were passed for the benefit of one or more persons. At the session of the General Assembly held from November 17 to December 20, 1769, four private acts were passed. One of them authorized the payment of eight hundred dollars to Governor Eden, which, the act read, his Excellency was requested by the Assembly to accept as "an Instance of their Regard & respect for him." Probably because it was not wished to establish a precedent by this donation, this law was listed as a private act. Otherwise the payment of money to a governor would seem more in the nature of a public or general act. The title of the law allowing Eden eight hundred dollars was misleading as it gave no idea of its purpose. It was called "An Act for applying a Sum of Money in Bills of Credit to the use therein mentioned" (p. 124).

One of the other private acts passed in 1769 dealt with the naturalization of a man who was "a Foreigner of the Protestant or reformed Religion" (p. 120); another related to the financial "relief" of a woman for the loss of a slave who committed suicide while in jail on the charge of burglary (p. 127); the other act sought to remedy a defect in the title to land (pp. 124-125).

During the two sessions of the Assembly which met in 1770 ten private acts were passed. Two of these laws gave John Clayton and Isaac Perkins a kind of patent on machines, good for ten years, which each had made for threshing wheat (pp. 315-316, 334-335). The other eight acts related to land, two of them dealing with the sale of land for the payment of debts (pp. 308-312, 339-341), while the other six sought to remedy defects in the title to land (pp. 322-324, 331-332, 341-342, 433-437, 441-442, 451-453).

#### ACTS FOR THE RELIEF OF PRISONERS FOR DEBT, 1769-1770

Having some of the characteristics of both general and private acts these laws are considered separately. In previous volumes of the *Archives* will be found not only petitions of the prisoners themselves, but also a discussion of

the whole question of their relief (*Arch. Md.* LVI, xxii, xxxvi, lxxiv, 509-514; *ibid.* LVIII, xxvii, lxxv, lxxix, 583-589; *ibid.* LIX, xii, xxvii, lix-lx, 278-282; *ibid.* LXI, li, lxxvi-lxxviii, 68-73, 247-252, 468-472).

During 1769 and 1770 three laws were passed for the relief of prisoners for debt. An act passed at the November-December session in 1769 provided for the relief of about eighty debtors, three of whom were women (pp. 159-164), while a similar law enacted at the November 5-21 session in 1770 granted relief to sixty-six, including two women (pp. 445-449). At the session which met from September 25 to November 2, in 1770, relief was granted to only one debtor named Thomas Weems (pp. 335-338).

Many prisoners for debt petitioned the General Assembly during the years 1769 and 1770. While most of them received favorable consideration, some did not (pp. 28-29, 88-89, 183, 184, 191-193, 358). Imprisoned debtors would sometimes give notice to their creditors that they intended to apply to the next Assembly for "Relief and Enlargement" (*Maryland Gazette*, Mar. 9, Apr. 20, July 6, 13, 1769). Amendments to the act for the relief of prisoners for debt were offered and discussed during the short November 5-21 session of 1770 (pp. 353-354, 360, 362, 392-393, 404, 409).

THE EDITOR.

*Editor's Note.* With the publication of the last volume Dr. J. Hall Pleasants resigned as the Editor of the *Archives of Maryland*. At a meeting of the President and Council of the Maryland Historical Society on February 20, 1945, his resignation was accepted with profound regret. In connection with Dr. Pleasants' work as Editor the following resolution was then passed unanimously:

BE IT RESOLVED BY THE COUNCIL OF THE MARYLAND HISTORICAL SOCIETY, THAT—

When the sudden death of the late Dr. Bernard C. Steiner ended without warning his inestimable service so long and so well borne as Editor of the *Maryland Archives*, Volume 45 of the *Archives* had not been completed. The Maryland Historical Society instinctively turned to Dr. Jacob Hall Pleasants in that critical emergency. He generously and promptly undertook the further editorial work in connection with others needed to complete Volume 45.

Projected as he was suddenly upon that editorial task in 1927, he has, at personal sacrifice through all the changes, with rare erudition, painstaking precision and unwavering diligence, to the complete satisfaction of critics, students and the members of this Society, edited all succeeding volumes of the *Archives* from Volume 46 to Volume 61, both inclusive. These sixteen massive volumes must stand for all time as monumental proof of his quality as an editor, historian and unselfish devotee of pure learning.





PROCEEDINGS AND ACTS  
OF THE  
GENERAL ASSEMBLY OF MARYLAND

*At a Session Held at Annapolis, November 17–December 20, 1769.  
Being the Second Session of the Assembly Elected in  
November–December, 1767*

FREDERICK CALVERT, LORD BALTIMORE  
*Lord Proprietary.*

ROBERT EDEN,  
*Governor.*



# PROCEEDINGS

## OF THE

### UPPER HOUSE OF ASSEMBLY

At a Session of Assembly, begun and held at the City of Annapolis, on Friday the Seventeenth Day of November, in the Nineteenth Year of his Lordships Dominion Anno Domini 1769

U. H. J.  
Liber No. 36  
1769  
Nov. 17  
p. 410

Were Present

His Excellency Robert Eden Esq. Governor

The Honble {	Benedict Calvert Esq.	Walter Dulany Esq.
	Daniel Dulany Esq.	John Beale Bordley Esq.
	John Ridout Esq.	George Steuart Esq.

Mess.<sup>rs</sup> Goldsborough and Gant, from the Lower House, acquaint his Excellency, that there are a Sufficient Number of Members met to make a House, and wait his Excellency's Commands

Daniel Dulany and John Ridout Esq.<sup>rs</sup> are sent to the Lower House, to acquaint the Speaker, that his Excellency requires their Attendance in the Upper House immediately.

The Lower House Attend with their Speaker, and his Excellency is pleased to make the following Speech.

Gentlemen of the Upper and Lower Houses of Assembly

From my Desire of accomodating the Public Business to your Private Affairs, I have delayed calling you together, nor Should I, did not the Exigencies of Government make it necessary, now meet you merely to notify the Lord Proprietary's Appointment of me to Succeed Colonel Sharpe, as Governor of this Province, to merit which Honour, and the Trust thus reposed in me, I shall ever Consider it to be my indispensable Duty to promote, on all Occasions, the Prosperity of Maryland.

Gentlemen of the Lower House

Convinced as I am that the real Interests of the Lord Proprietary and the People of this Province are inseparable, I meet this Assembly with the most agreeable Prospect. From your Attachment to the Welfare of your Country, from your knowledge of its Circumstances, and from your Moderation and prudence I derive the most persuasive and pleasing Expectation, that this Session will be distinguished by the Benefits which a Dispassionate and Amicable Intercourse cannot fail to produce, by the Propriety of your Proceedings and by the Utility of those Laws which shall be Enacted.

U. H. J. His Lordship has been please[d] to Assure you, in the Message I  
 Liber No. 36 am now to have the Honour of delivering to you, that if you will  
 Nov. 17 Prepare the Plan for the further Improvement of the Province, his  
 Encouragement shall not be wanting

Tho' I warmly wish that a well founded Provision for a more  
 liberal Institution of Youth may be Established here, Yet I do not  
 p. 411 undertake, at this Time, to recommend particular Objects to your  
 Attention, the Observations I have made, during the Short Interval  
 since my Arrival, not affording me Sufficient Grounds, and, if that  
 Interval had been much longer, your Experience would probably  
 anticipate my Recommendations, but give me leave to Assure you,  
 you may always rely upon my most cordial Concurrence in every  
 Measure you may propose conducive to the Welfare and happiness  
 of the Province.

Gentlemen of both Houses

I am Sensible I shall be judged of by my Actions, and not by any  
 Assurances I may now give you of my future Conduct, to that Test  
 I most readily Submit, and shall be truly happy when I leave you to  
 be able, like my Predecessor, to lay my Hand on my Heart in Con-  
 fidence of having acted Solely on the Principles here laid down, and  
 of having merited, by so doing, the thanks of those over whom I  
 have the Honour to preside

His Excellency the Governor was pleased to del[i]ver to this  
 House the following Message from the Right Honourable the Lord  
 Proprietary.

Gentlemen of the Upper and Lower Houses of Assembly

F: Baltimore

At the same time I introduce your new Lieutenant Governor  
 Permit me to take a becoming Leave of his Predecessor. M.<sup>r</sup> Sharpe  
 has justly Entitled himself to my most grateful Acknowledgments,  
 for his many Years faithful Service to me, and I Trust a Constant  
 Attention to the true Interest of my Province Our Interests are  
 indeed inseparable, and he will ill recommend himself to me who  
 does not make the happiness of my Province his first Object. M.<sup>r</sup>  
 Eden is, I Acknowledge, my Brother in Law, and Endeared to me  
 by the nearest Tyes of Affinity, Friendship, and Affection, but, could  
 I distrust his Abilities or Inclinations to make you a happy People,  
 he is the last person to whom I would have Delegated my Authority  
 Receive him then as you find him, Credit us both till You have Tried  
 him, and if upon Experiment his Merits shall be found to Outweigh  
 his Failings Excuse my Partiality, and render him the Justice he  
 shall deserve I ask no more, nor will you return us less

If any other Progress can [be] made in the Improvement, or Addi-  
 tion procured to the happiness of my Province, Do you Prepare the  
 Plan and my Encouragement shall not be wanting.

F: B



Ordered that John Ridout Walter Dulany and George Steuart Esq.<sup>rs</sup> be a Committee to prepare an Address, in Answer to his Excellency's Speech, and also an Address to the Right Honourable the Lord Proprietary in Answer to his Message delivered by his Excellency

U. H. J.  
Liber No. 36  
Nov. 17

Mess.<sup>rs</sup> Holliday and Wright, from the Lower House, attend with M.<sup>r</sup> Edward Tilghman, a Member Elected for Queen Anns County, to see him Qualified, who takes the Oaths to the Government, appointed to be taken by Act of Assembly, repeats and Subscribes the Oath of Abjuration and Test and then withdraws. p. 412

Adjourned untill to Morrow Morning 10 of the Clock

Saturday Morning 18.<sup>th</sup> of November 1769

Nov. 18

This House met again according to Adjournment

Present as Yesterday.

On Motion made, Daniel Dulany Esq.<sup>r</sup> hath leave to bring in a Bill for the Punishment of certain Offences.

Adjourned until Monday Morning 10 of the Clock.

Monday Morning 20.<sup>th</sup> of November 1769.

Nov. 20

The House met again according to Adjournment.

Present as on Saturday except M.<sup>r</sup> Calvert.

The Committee, appointed to prepare an Address in Answer to his Excellency's Speech, bring in the same, which being read and approved of is Ordered to be Engross'd.

Daniel Dulany Esq.<sup>r</sup>, attended by the Members of this House, presents to his Excellency the following Engrossed Address.

To His Excellency Robert Eden Esq. Governor and Commander in Chief in and over the Province of Maryland.

The Humble Address of the Upper House of Assembly.

May it please your Excellency.

His Majestys most dutiful and loyal Subjects, The Upper House of Assembly beg leave to Congratulate your Excellency on your Appointment to the Government of this Province, and safe Arrival with your Family, and to tender our best Thanks to you for your very Obliging Speech at the opening of this Session

Whilst we indulge the most Sanguine hopes that the Advancement of the true Interests of the People will mark the Honourable Character of your Excellency's Administration, give us leave to Express our Warmest Wishes that the Residence of your Self and Lady

U. H. J. among us will be made Agreeable by all the Returns which are due  
 Liber No. 36 to the most Engaging Affability and Complacency.  
 Nov. 20

The Justice we owe to a Character, really estimable, demands from us some Tribute to the Merit of our late Worthy Governor. Amidst the general approbation of his just, equitable, and prudent Administration, we cannot withhold our Eulogy. In Consequence of his Steady Adherence to the Duties of his Station, his firm Assertion of the Rights of the Lord Proprietary, and his Maintenance of the Privileges of the People, he deservedly gained their Applauses, whilst he faithfully Answered his Lordships Expectation, and justly  
 p. 413 entitled himself to his most distinguished Regard.

We entirely agree with your Excellency, that the real Interests of the Lord Proprietary and the People of this Province are inseparable, and, if any Evidence were wanting to confirm the Principle, the concurring Sentiments of His Lordship and the good People of this Province in favour of a Gentleman, who invariably made it the Plan of his Administration, would Amply Supply it

From the Short time your Excellency has been among us it cannot be expected that you can have framed such a Comprehensive Knowledge of the Circumstances of the Country as to be Able to recommend an adequate Provision of Laws, but the Intimation you have given of a more liberal Establishment for the Institution of Youth gives us the most lively impression of your Excellency's Regard to the Prosperity of the Province, and claims our warmest Acknowledgments, To this most interesting Object we shall pay all due Attention, as well as to every other useful Regulation, which may either occur to ourselves, or be proposed for our Concurrence.

Influenced by the Strongest Motives of Duty, from the Consideration of your Near Alliance to the Proprietor; and impressed with the Deepest Sense of your Excellency's Attention to the Prosperity of Maryland, You may be Assured, Sir; that we shall ever exert our most Zealous Endeavours to render your Administration agreeable to his Lordship, yourself, and the People of this Province.

November 20.<sup>th</sup> 1769

Charles Hammond

To which Address His Excellency was pleased to Communicate to this House the following Answer;

Gentlemen of the Upper House of Assembly

Your Affectionate Address is a favourable Presage to me of a permanent Happiness in my Government. If my Endeavours to merit a Continuance of your Affections prove Successfull, I shall look upon the Honourable Trust, which, by his Lordships Favour, I now hold as the most Fortunate Circumstance in a Life entirely devoted to the Service of this Province.

Rob.<sup>t</sup> Eden

Read and Referred the Petition of Peter Haldimand, the Petition of the Rector, Vestrymen, Church Wardens and Sundry Inhabitants of Saint [Prince?] Georges Parish in Frederick and Prince Georges Counties, And also the Remonstrance of the Justices of Ann Arundel County, and Sent these by Daniel Dulany Esq.

U. H. J.  
Liber No. 36  
Nov. 20

Read and Rejected the Petition of Basil Burgess.

Adjourned until to Morrow Morning 10 of the Clock.

Tuesday Morning 21.<sup>st</sup> November 1769.

Nov. 21

The House met again according to Adjournment.

p. 414

Present as Yesterday.

Read and referred the Petition of the Rector Vestrymen and Sundry Inhabitants of Saint Pauls Parish, in Queen Anns, and Talbot Counties.

The Petition of the Rector Vestrymen and Church Warden's of Somerset Parish in Somerset County. And also the Petition of John Scarborough of Worcester County. These Petitions sent by John Ridout Esq.

Read and Rejected the Petitions of Thomas Smyth, Mary Granger, and William Granger, and of Nehemiah Tilghman and Solomon Townshend.

Adjourned until 3 of the Clock in the Afternoon.

Post Meridiem.

The House met again according to Adjournment

Present as in the Morning & M.<sup>r</sup> Calvert.

Mess.<sup>rs</sup> Beall and Ware, from the Lower House, attend with M.<sup>r</sup> John Moale, a Member Elected for Baltimore County, to see him Qualified, who takes the Oaths to the Government, appointed to be taken by Act of Assembly; Repeats and Subscribes the Oath of Abjuration and Test and then withdraws.

Mess.<sup>rs</sup> Worthington and Willson, from the Lower House, bring up the two following Messages.

By the Lower House of Assembly 21 November 1769.

May it please Your Honours.

This House hath appointed M.<sup>r</sup> Ringgold, M.<sup>r</sup> Dickinson, M.<sup>r</sup> Worthington, M.<sup>r</sup> Beall, and M.<sup>r</sup> Willson to join one or more of the Members of your House, as a Committee to Inspect the Accounts and Proceedings of the Commissioners appointed by Virtue of the Act for the Payment of the Public Claims, for Emitting Bills of Credit, and for other purposes therein Mentioned.

Signed p Order. T. Wright Cl. Lo. ho.

U. H. J.  
Liber No. 36  
Nov. 21

By the Lower House of Assembly 21.<sup>st</sup> November 1769.

May it please Your Honours.

This House have Resolved to Sit only from Nine of the Clock in the Morning till one—in the Afternoon, during this Session, which we thought proper your Honours should be made acquainted with.

Signed by Order. T : Wright Cl. Lo. ho.

The following Message is Sent by Benedict Calvert Esq.

By the Upper House of Assembly 21.<sup>st</sup> November 1769.

Gentlemen

This House hath appointed Benedict Calvert and Walter Dulany Esq.<sup>rs</sup>, to join the Members of Your House, named by you for the Purposes in Your Message of this Afternoon, by Mess.<sup>rs</sup> Worthington and Willson.

Signed by Order U Scott Cl. Upp. ho

p. 415 Adjourned until to Morrow Morning 10 of the Clock.

Nov. 22

Wednesday Morning 22.<sup>d</sup> November 1769.

The House met again according to Adjournment.

Present as Yesterday,

Adjourned until to Morrow Morning 10 of the Clock.

Nov. 23

Thursday Morning 23.<sup>d</sup> November 1769.

The House met again according to Adjournment.

Present as Yesterday and Col.<sup>o</sup> Hammond.

Read the Petition of John Doncastle of Charles County. Ordered that the Clerk of this House give Notice to the said Doncastle, and likewise to Doctor David Ross, who, at a former Session of Assembly, had preferred a Petition against Doncastles Releasement, that they will take the said Petition again into their Consideration on Monday the 4.<sup>th</sup> Day of December next.

Read and referred the Petition of the Rector, Vestrymen, Church Wardens and other Inhabitants of Saint Lukes Parish, in Queen Anns County, the Petition of the Visitors of Frederick County Public School, And also the Petition of Sundry Inhabitants of Dorchester County. These Petitions sent by John Beale Bordley Esq.

Read and Rejected the Petitions of Elizabeth Gosling, and also of Thomas Pindall and Mary his Wife Executrix of Col.<sup>o</sup> Edward Sprigg.

Adjourned until to Morrow Morning 10 of the Clock.



Friday Morning 24:<sup>th</sup> November 1769.

U. H. J.  
Liber No. 36  
Nov. 24

The House met again according to Adjournment.

Present as yesterday except Col.<sup>o</sup> Hammond & John B. Bordley Esq.

Adjourned until to Morrow Morning 10 of the Clock.

Saturday Morning 25:<sup>th</sup> November 1769.

Nov. 25

The House met again according to Adjournment.

Present as yesterday, together with Col.<sup>o</sup> Hammond & Richard Lee Esq.

Doctor David Ross having in his Letter To M<sup>r</sup> Daniel Jenifer, now produced in this House, withdrawn his Objections to the Releasement of John Doncastle, the Petition of the said Doncastle was Read and Referred to the Consideration of the Lower House of Assembly, as were also the Petitions of the following Prisoners, Vizt., Nicholas Brown, Abraham Cordary, Henry Handcock, Moses Green, Price Collings, Lazarus Townshend, John Callaway, Edward M<sup>c</sup>Glamery, and William Shiers in Worcester County Goal; Moses Carter, Robert Hatten, Stephen Roach, Ann Dunker John Watherly, William Turpin, & James Ainsworth in Somerset County Goal—John Hayward in Dorchester County Goal—James Connoly, William Snelling, William Cook, John Liddle, and William Jones in Talbot County Goal—John Hukill, Richard Ratcliffe, George Hall, William Godwin, James Chaires, Priscilla Dio's, Nathaniel Bailey, William Moore, Joseph Gill, William Barey, John Kinnimont, John Cockey, Aaron Yoe, Nicholas Seymour, and Edmund Lowe in Queen Anns County Goal—Samuel Roberts, Mary Chick, Thomas Palmer, Thomas Chandler, and William Warner in Cecil County Goal.—Samuel Cross, William Lock, Joseph Miller, Alexander M.<sup>c</sup>Culloch, John Morris, John Rourke, John Smith, Moses Barney Edward Mills, John M<sup>c</sup>Eldowney, Abraham Forster, Thomas Fanning, Thomas Waters, John Brown, Henry Sligh, and Isaac Dawson in Baltimore County Goal; George French, Henry Hostadler, Christopher White, Absolam Bonham, Daniel Shultz, William Kimbol, Bastian Keener, Joseph Tennyly, and Thomas Ogden in Frederick County Goal, Edward Gilpin in Prince Georges County Goal,—John Haley, James Ferrell, Anthony Savoy, Joseph Waters, and Joseph Harrison jun.<sup>r</sup> in Charles County Goal; John Baptist Bailey, John Southell, Francis Noble, William Payne, Henry Greenwell, Edward Greenwell, Electius Jarboe, Joseph Clarke, and John Field in Saint Mary's County Goal,—and Thomas Pelpoe in Calvert County Goal. These Petitions Sent by Daniel Dulany Esq. p. 416

A Bill, by Mess.<sup>rs</sup> Dickinson and Graham, Entitled An Act for the Naturalization of Peter Haldimand—Read the first and Second time

U. H. J. in the Lower House and will Pass—Read the first and Second time  
 Liber No. 36 by an Especial Order in this House and will Pass—so Endorsed and  
 Nov. 25 Sent by John Ridout Esq.<sup>r</sup>

A Bill, by Mess.<sup>rs</sup> Goldsborough and Ware, Entitled An Act continuing An Act entitled An Act for Trial of all Matters of Fact in the several Counties where they have arisen, or shall arise—Read the first and Second time in the Lower House and will Pass.—Read the first time in this House and Ordered to lye on the Table

Adjourned until to Morrow Morning 10 of the Clock.

Nov. 27 Monday Morning 27.<sup>th</sup> November 1769.

The House met again according to Adjournment.

Present

The Honble Richard Lee, Daniel Dulany, John Ridout, Walter Dulany, and George Steuart Esq.<sup>rs</sup>

Read the Petition of Sundry Inhabitants of Queen Anns County, praying that the Court House of said County may be Removed from Queens Town to the head of Corsica Creek.

Read also the Petition of Sundry other Inhabitants of Queen Anns County praying that the Court House may be Continued in its present Situation

These Petitions are Ordered to lie on the Table.

Read and referred the Petition of Sundry Inhabitants of Somerset County, and Sent by Walter Dulany Esq.

Adjourned until to Morrow Morning 10 of the Clock.

Nov. 28 Tuesday Morning 28.<sup>th</sup> November 1769.

This House met again according to Adjournment

p. 417 Present as Yesterday and Benedict Calvert Esq..

Resolved that this House will take into Consideration the Petitions of the Inhabitants of Queen Anns County on Thursday the 7.<sup>th</sup> day of December next, when they will hear Counsel on the Merits of the said Petitions.

Adjourned until to Morrow Morning 10 of the Clock.

Nov. 29 Wednesday Morning 29.<sup>th</sup> of November 1769.

This House met again according to Adjournment.

Present as Yesterday.

This House having resumed the Consideration of the Petition of Thomas Smyth, Mary Grainger, and William Grainger, agree to refer the same to the Lower House, it appearing clearly, by the Evi-

dence of Mess.<sup>rs</sup> Thomas Ringgold and Robert Buchanan, and by the Examination of William Grainger, who is now Aged Twenty Years and three Months, that the carrying the Agreement entered into Betwixt the said Smith and Grainger into Execution will be greatly for the Benefit of the said Grainger, the Consideration, or purchase Money Offered for the Lot of Ground therein mentioned being much more, than, in the Opinion of these Gentlemen, the said Lot is worth, or than any Lot, so Situated in the same Town, hath ever been Sold for. Sent by Benedict Calvert Esq.

U. H. J.  
Liber No. 36  
Nov. 29

Read and Referred the Petition of Sundry Inhabitants of Dorchester County, and Sent by John Ridout Esq.

Mess.<sup>rs</sup> Willson and Graham from the Lower House bring up the following Bills.

A Bill Entitled An Act continuing An Act Entitled An Act for repairing the Public Roads in this Province, and the Supplementary Act thereto

A Bill Entitled An Act continuing An Act Entitled a Supplementary Act to the Act Entitled An Act for ascertaining what Damages shall be Allowed upon Protested Bills of Exchange.

A Bill Entitled An Act continuing An Act entitled An Act to increase the Allowance of Jurors, attending the Provincial and County Courts, and for other Purposes therein Mentioned.

A Bill Entitled An Act continuing An Act entitled an Act to oblige infected Ships, and other Vessels coming into this Province, to perform Quarantine.

A Bill Entitled an Act continuing an Act entitled an Act to Ease the Inhabitants of this Province, and to empower the Justices of the Several Counties to bind out Persons, therein Mentioned, Apprentices.

These Bills Read the first and Second time in the Lower House, and will Pass—Read the first time in this house, and Ordered to lye on the Table

Mess.<sup>rs</sup> Edward Tilghman and Gaunt from the Lower House bring up a Bill Entitled an Act for Issuing Replevins out of the County Courts of this Province, Read the first and Second time in the Lower House and will Pass—Read the first time in this House and Ordered to lye on the Table

p. 418

Adjourned until to Morrow Morning 10 of the Clock.

Thursday Morning 30.<sup>th</sup> November 1769.

Nov. 30

This House met again according to Adjournment.

Present as Yesterday.

Read and referred the Petitions of the following Prisoners, Viz.<sup>1</sup> James Alexander of Dorchester County, John Hume and John

U. H. J.  
Liber No. 36  
Nov. 30

Colbert of Talbot County, Robert Lynn, William Saffell, and Mordecai Maddin of Frederick County, Charles Kedwards, and James Chalmers of Ann Arundel County, Sent by George Steuart Esq.

Read and Rejected the Petition of Richard Maccubbin.

Read the Second time in this House, and will Pass, the five following Bills.

A Bill Entitled an Act continuing an Act entitled an Act for repairing the Public Roads in this Province, and the Supplementary Act thereto.

A Bill Entitled an Act continuing an Act Entitled an Act to increase the Allowance of Jurors attending the Provincial and County Courts, and for other Purposes therein Mentioned.

A Bill Entitled An Act continuing an Act Entitled a Supplementary Act to the Act entitled an Act for ascertaining what Damages shall be Allowed on Protested Bills of Exchange.

A Bill Entitled an Act continuing an Act entitled an Act to Oblige infected Ships, and other Vessels coming into this Province, to perform Quarantine.

A Bill Entitled an Act continuing an Act entitled an Act to Ease the Inhabitants of this Province, and to empower the Justices of the Several Counties to bind out persons therein Mentioned Apprentices.

These Bills were severally Indorsed and sent by Daniel Dulany Esq.<sup>r</sup>

Adjourned until to Morrow Morning 10 of the Clock.

Dec. 1

Friday Morning 1.<sup>st</sup> December 1769.

This House met again according to Adjournment.

Present as Yesterday, and Col:<sup>o</sup> Hammond.

Read and Rejected the Petition of Sundry Inhabitants of Charles County

Read and Referred the Petition of Michael Hanchliff, a languishing Prisoner in Ann Arundel County Goal—the Petition of John Clayton praying an Act for an exclusive Right to make a Machine for Thrashing out Wheat—the Petition of John Paca, and Six other Freeholders, praying an Act directing the Sheriff of Baltimore County to hold the Election for Delegates for said County at Joppa as well as in Baltimore Town, on Account of the Small Pox prevailing in the said Town of Baltimore—These Petitions Sent by Walter Dulany Esq.

p. 419

Adjourned until to Morrow Morning 10 of the Clock.



Saturday Morning 2.<sup>d</sup> December 1769.

U. H. J.  
Liber No. 36  
Dec. 2

This House met again according to Adjournment.

Present as Yesterday except Col.<sup>o</sup> Hammond.

Mess.<sup>rs</sup> Goldsborough and Bealle, from the Lower House, bring up the following Engrossed Bills, Read and Assented to.

A Bill Entitled An Act for the Naturalization of Peter Haldimand

A Bill Entitled An Act continuing an Act Entitled An Act for repairing the Public Roads in this Province, and the Supplementary Act thereto

A Bill Entitled an Act continuing an Act entitled an Act to the Ease the Inhabitants of this Province, and to empower the Justices of the Several Counties to bind out the Persons, therein Mentioned, Apprentices.

A Bill Entitled an Act continuing an Act entitled [an] Act to Oblige infected Ships, and other Vessells coming into this Province, to perform Quarantine.

A Bill Entitled an Act continuing an Act entitled an Act to increase the Allowance of Jurors, attending the Provincial and County Courts, and for other Purposes therein Mentioned.

A Bill Entitled an Act continuing an Act entitled a Supplementary Act to the Act Entitled an Act for ascertaining what Damages shall be allowed on Protested Bills of Exchange—These Bills were Read and Assented to by this House, and Ordered to be so Subscribed, the Paper Bills so Endorsed Sent by John Ridout Esq.

Read and Referred the Petition of William Thomas against the Releasment of Charles Kedwards, and sent by George Steuart Esq.

Adjourned until Monday Morning 10 of the Clock.

Monday Morning 4.<sup>th</sup> of December 1769.

Dec. 4

This House met again according to Adjournment.

Present

The Honble Richard Lee, Daniel Dulany, John Ridout, Walter Dulany, George Steuart and William Fitzhugh Esquires.

Upon Application, Summons' Issued for Thomas Baker, Edward Clayton, John Ireland, John Swift, John Brown, and James Bordley of Queen Anns County to Testify on behalf of the Petitioners for the Removal of the said County Court House, and likewise for Henry Casson, Giles Hicks, Richard Mason, Thomas Ringgold, Rev.<sup>d</sup> Hugh Neile, W.<sup>m</sup> Hindman, Jeremiah Garland, Ja.<sup>s</sup> Butler, Doctor John Smith, Peter Maxwell, John Kent, John Ireland, Solomon Holton, Gideon Emory, and Vincent Benton to Testify on behalf of the Counter Petitioners

U. H. J. Read and Referred to the Consideration of the Lower House two  
 Liber No. 36 Petitions of Sundry Inhabitants of Christs Church Parish in Calvert  
 Dec. 4 County and Sent by William Fitzhugh Esq.

p. 420 Read and Referred the Petition of Mary Hindman, Sent by  
 [Walter Dulany].

Mess.<sup>rs</sup> Paca and Baxter bring up a Bill Entitled An Act for  
 appointing places for holding the next Election of Delegates for  
 Baltimore County, Read the first and Second time in the Lower  
 House, and will Pass, Read the first time in this House and Ordered  
 to lye on the Table

Adjourned until to Morrow Morning 10 of the Clock.

Dec. 5 Tuesday Morning 5.<sup>th</sup> December 1769.

This House met again according to Adjournment.

Present as Yesterday and Benedict Calvert Esq.

Mess.<sup>rs</sup> Graham and Holliday bring up a Bill Entitled An Act  
 continuing an Act entitled an Act for Amending the Staple of To-  
 bacco, for preventing Frauds in his Majestys Customs, and for the  
 Limitation of Officers Fees, and the Supplementary Act thereto—  
 Read the first and Second time in the Lower House and will Pass—  
 Read the first time in this House, and ordered to lye on the Table

Read the Petition of Sundry Inhabitants of Baltimore County,  
 praying that this House will not Pass a Bill now laying before them  
 Entitled An Act for appointing Places for holding the next Election  
 of Delegates for Baltimore County

Resolved that this House will proceed to take into their Considera-  
 tion the Merits of the said Petition, on a Second Reading of the Bill,  
 on Friday the 8.<sup>th</sup> Instant.

Ordered that the Clerk of this House give the parties Concerned,  
 Notice thereof, that they may attend by Counsil if they desire it.

Adjourned until to Morrow Morning 10 of the Clock.

Dec. 6 Wednesday Morning 6.<sup>th</sup> December 1769.

This House met again according to Adjournment.

Present as Yesterday and Col.<sup>o</sup> Hammond.

Read the Second time in this House and will Pass, the Bill  
 Entitled an Act continuing an Act Entitled an Act for amending  
 the Staple of Tobacco, for preventing Frauds in his Majestys Cus-  
 toms, and for the Limitation of Officers Fees, and the Supplementary  
 Act thereto—Sent by Daniel Dulany Esq.

Read the Second time in this House and will not Pass, the Bill Entitled an Act continuing an Act Entitled An Act for Tryal of all Matters of Fact in the Several Counties where they have arisen, or shall arise

U. H. J.  
Liber No. 36  
Dec. 6

Read the Second time A Bill Entitled an Act for Issuing Writs of Replevin out of the County Courts of this Province, and will Pass, with the following Amendments, Viz.<sup>t</sup> After the last Proviso Add "*And Provided also that any person or persons who shall obtain any Writ of Replevin from or out of any County Court in Pursuance of this Act shall stand charged with or be liable to the Payment of such Fees to the Chancellor or Keeper of the great Seal thereon as hath been due to him before the Passing of this Act upon the Issuing of any Writ of Replevin out of the Court of Chancery of this Province; this Act to Continue and be in force until the 25.<sup>th</sup> Day of December which shall be in the Year 1772 and no longer—*" Sent by Daniel Dulany Esq.<sup>r</sup>

p. 421

Adjourned until to Morrow Morning 10 of the Clock.

Thursday Morning 7:<sup>th</sup> of December 1769

Dec. 7

This House met again according to Adjournment.

Present as yesterday and John Beale Bordley Esq.<sup>r</sup>

Read and Rejected the Petition of Sundry Inhabitants of Ann Arundel County

On Application, Summons Issued for John Tillotson to Testify, on behalf of the Petitioners against the Removal of Queen Anns County Court House.

Read, agreeable to the order of the Day, the Petitions for and against the Removal of the Court House in Queen Anns County, and also heard Council in Support of the said Petitions, the Consideration of which is Postponed until 5 of the Clock in the Afternoon.

Adjourned until 5 of the Clock in the Afternoon.

Post Meridiem.

This House met again according to Adjournment.

Present as in the Morning except Col.<sup>o</sup> Hammond

On resuming the Consideration of the Petitions, for and against the Removal of the Court House in Queen Anns County, Resolved that this House will take said Petitions into their Consideration, on the Second Monday of the next Session of Assembly

Adjourned until to Morrow Morning 10 of the Clock.

U. H. J.  
Liber No. 36  
Dec. 8

Friday Morning 8.<sup>th</sup> December 1769.

This House met again according to Adjournment.

Present as yesterday Afternoon.

Mess.<sup>rs</sup> Graham and Eden bring up a Bill, entitled An Act for applying a Sum of Money in Bills of Credit to the uses therein Mentioned—Read the first and Second time in the Lower House and will Pass—Read the first and Second time, by an Especial Order, in this House and will Pass—so Endorsed and Sent by John Ridout Esq.

Mess.<sup>rs</sup> Ringgold and Buchanan bring up a Bill entitled An Act to Secure to Thomas Smyth the Right in a Lott of Ground in Chester Town,

Read the first and Second time in the Lower House and will Pass

Read the first time in this House, and Ordered to lye on the Table

p. 422     Read, agreeable to the order of the Day, the Petition of Sundry Inhabitants of Baltimore County, against the Passage of a Bill, now laying before this House, Entitled An Act for appointing places for holding the next Election of Delegates in Baltimore County, and on hearing the Allegations of the Council for and against the said Petition, It is Ordered that the same be Rejected

Adjourned until to Morrow Morning 10 of the Clock.

Dec. 9

Saturday Morning 9.<sup>th</sup> of December 1769.

This House met again according to Adjournment.

Present as Yesterday and Col.<sup>o</sup> Hammond.

Read the Second Time, in this House, the Bill entitled An Act to Secure to Thomas Smyth the Right in a Lot of Land in Chester Town, and will Pass, with the following Amendment—After the word "*live*" in the 6.<sup>th</sup> Line, from the Bottom of the last Page, insert the following words Viz.<sup>t</sup> "*The said Interest to be Reckoned or computed from the first day of May last past.*" Sent by John Ridout Esq.

Adjourned until Monday Morning 10 of the Clock.

Dec. 11

Monday Morning 11.<sup>th</sup> December 1769.

This House met again according to Adjournment.

Present

The Honourable Charles Hammond, Richard Lee, Benedict Calvert, Daniel Dulany, John Ridout, Walter Dulany, John Beale Bordley, George Steuart and William Fitzhugh Esquires



Read the Second time, in this House, the Bill Entitled An Act for appointing places for holding the next Election of Delegates for Baltimore County and will Pass with the following Amendments—  
At the Beginning of the 5.<sup>th</sup> and End of the 6.<sup>th</sup> line from the Top of the last Page Strike out the words, "*Town of Joppa*" and insert in both places in the Room thereof the following Words, Viz.<sup>t</sup> "*Place commonly called Bush Town on Bush River.*"

U. H. J.  
Liber No. 36  
Dec. 11

Adjourned until to Morrow Morning 10 of the Clock.

Tuesday Morning 12.<sup>th</sup> December 1769.

Dec. 12

This House met again according to Adjournment.

Present as Yesterday except Col.<sup>o</sup> Hammond.

Read, and Referred to the Consideration of the Lower House, the Petition of William Reynolds, and Sent by Benedict Calvert Esq.

Adjourned until three of the Clock in the Afternoon.

Post Meridiem.

This House met again according to Adjournment.

Present as in the Morning.

Mess.<sup>rs</sup> Johnson and Fourteen others bring up a Bill, Entitled An Act for Emitting Bills of Credit, and other Purposes therein Mentioned

Read the first and Second time in the Lower House and will Pass—Read the first time in this House, and ordered to lie on the Table.

p. 423

Adjourned until to Morrow Morning 10 of the Clock.

Wednesday Morning 13.<sup>th</sup> December 1769.

Dec. 13

This House met again according to Adjournment.

Present as Yesterday.

Mess.<sup>rs</sup> Sullivane and Steele attend with M.<sup>r</sup> Edward Noel, A Member Elected for Dorchester County, to see him Qualified, who takes the Several Oaths to the Government, appointed to be taken by Act of Assembly, repeats and Subscribes the Oath of Abjuration and Test, and then withdraws

Read the Petition of Sundry Inhabitants of Baltimore County, respecting an Alms and Work House in said County the Consideration of which is Postponed until the next Session of Assembly.

Mess.<sup>rs</sup> Edward Tilghman and Chase bring up the following Message, together with the Bill Entitled An Act for Issuing Writs of Replevin out of the County Courts of this Province

U. H. J.  
Liber No. 36  
Dec. 13

By the Lower House of Assembly December 13:<sup>th</sup> 1769.  
May it please your Honours.

We cannot agree to the First Amendment you propose to the Bill for Issuing Writs of Replevins . . . [*The message beginning thus is printed in full in the Lower House Journal pp. 72-73*]

p. 424

Mess.<sup>rs</sup> Dickinson and Thomas bring up a Bill, Entitled An Act for the Relief of Mary Hindman of Talbot County, Read the first and Second time in the Lower House and will Pass.

Mess.<sup>rs</sup> Paca and Griffith bring up the following Engrossed Bills, Read and Assented to by the Lower House of Assembly.

A Bill Entitled An Act continuing An Act Entitled an Act for amending the Staple of Tobacco, for preventing Frauds in his Majestys Customs, and for the Limitation of Officers Fees, and the Supplementary Act thereto.

A Bill Entitled An Act for applying a Sum of Money in Bills of Credit to the Uses therein Mentioned.

A Bill Entitled An Act to Secure to Thomas Smyth the Right in a Lot of Land in Chester Town.

A Bill Entitled An Act for appointing Places for holding the next Election of Delegates for Baltimore County.

These Bills Read and Assented to by this House, and Ordered to be so Subscribed, the Paper Bills so Endorsed, Sent by Walter Dulany Esq.

Mess.<sup>rs</sup> Sullivane and others bring up the Journal of Accounts Read and Assented to by the Lower House of Assembly.

Adjourned until to Morrow Morning 10 of the Clock.

Dec. 14

Thursday Morning 14.<sup>th</sup> December 1769.

This House met again according to Adjournment.

Present as Yesterday.

p. 425 Mess.<sup>rs</sup> Beall, Ware, and Luckett attend with M.<sup>r</sup> Andrew Heugh, a Member Elected for Frederick County, and M.<sup>r</sup> Thomas Contee a Member Elected for Prince Georges County, to see them Qualified, who take the Several Oaths to the Government, repeat and Subscribe the Oath of Abjuration and Test and then withdrew.

George Steuart and William Fitzhugh Esquires are Sent to acquaint the Speaker, that His Excellency requires his immediate Attendance, with the Lower House, to See the Bills passed this Session receive the Assent

The Lower House attend, and, by their Speaker, present to His Excellency the following Bills.

A Bill Entitled An Act for the Naturalization of Peter Haldimand.

A Bill Entitled An Act continuing an Act Entitled An Act for

repairing the Public Roads in this Province, and the Supplementary Act thereto

U. H. J.  
Liber No. 36  
Dec. 14

A Bill Entitled an Act continuing an Act entitled an Act to ease the Inhabitants of this Province, and to empower the Justices of the Several Counties to bind out the Persons, therein Mentioned, Apprentices.

A Bill Entitled an Act continuing an Act entitled an Act to Oblige infected Ships, and other Vessels coming into this Province, to perform Quarantine.

A Bill Entitled an Act continuing an Act entitled an Act to increase the Allowance of Jurors attending the Provincial and County Courts, and for other Purposes therein Mentioned.

A Bill entitled an Act continuing an Act entitled a Supplementary Act to the Act entitled an Act for ascertaining what Damages shall be Allowed upon Protested Bills of Exchange.

A Bill entitled an Act continuing an Act entitled an Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, & the Supplementary Act thereto.

A Bill Entitled An Act for applying a Sum of Money in Bills of Credit to the Uses therein Mentioned.

A Bill Entitled an Act to Secure to Thomas Smyth the Right in a Lot of Land in Chester Town.

A Bill Entitled an Act for appointing Places for holding the next Election of Delegates for Baltimore County.

All which His Excellency Passed into Laws in the usual form, by Sealing them with the Right Honourable the Lord Proprietary his Great Seal at Arms, and Subscribing them, On Behalf of the Right Honourable the Lord Proprietary of this Province, I Will this be a Law.

Read the Second time, in this House, and will Pass, the Bill Entitled An Act for the Relief of Mary Hindman of Talbot County, So Endorsed, and Sent by William Fitzhugh Esq.

Ordered that the Clerk of this House receive such Fees on all private Bills, Passed this Session, as shall be received by the Clerk of the Lower House. p. 426

Adjourned until 3 of the Clock in the Afternoon.

Post Meridiem.

This House met again according to Adjournment.

Present as in the Morning.

Read the Second time, in this House, and will Pass, the Bill Entitled an Act for Emitting Bills of Credit, and other Purposes therein Mentioned. So Endorsed and Sent by Daniel Dulany Esq.

U. H. J.  
Liber No. 36  
Dec. 14

Mess.<sup>rs</sup> Edward Tilghman and Wright bring up a Bill, Entitled a Supplementary Act to the Act entitled an Act for laying out anew and Settling and ascertaining the future Bounds and Limits of Saint Lukes, Christs Church, and Saint John's Parishe's in Queen Anns County, and Saint Pauls Parish, lying partly in Queen Ann's, and partly in Talbot Counties—Read the first and Second time in the Lower House and will Pass—Read the first and Second time by, an Especial Order, in this House, and will Pass—So Endorsed and Sent by Benedict Calvert Esq.

Mess.<sup>rs</sup> Dickinson and Thomas bring up an Engrossed Bill, Entitled An Act for the Relief of Mary Hindman of Talbot County—Read and Assented to by the Lower House of Assembly—Read and Assented to by this House, and ordered to be so Subscribed, the Paper Bill so Endorsed, sent by Benedict Calvert Esq.

Adjourned until to Morrow Morning 10 of the Clock.

Dec. 15

Friday Morning 15:<sup>th</sup> of December 1769.

This House met again according to Adjournment.

Present as Yesterday and Col.<sup>o</sup> Hammond.

Mess.<sup>rs</sup> Tyler and Contee attend with M.<sup>r</sup> Mordecai Jacobs, a Member Elected for Prince Georges County, to See him Qualified, who takes the Oaths to the Government, appointed to be taken by Act of Assembly, repeats and Subscribes the Oath of Abjuration and Test, and then withdraws.

Mess.<sup>rs</sup> Holliday and Steele bring up a Bill, Entitled an Act to enable the Justices of Queen Anns County Court, for the time being, to Levy on the Taxable Inhabitants of Saint Lukes Parish, in the said County, a Quantity of Tobacco for Building a Chapel in the said Parish, Read the first and Second time in the Lower House and will Pass—Read the first and Second time, by an Especial Order, in this House and will Pass—So Endorsed and Sent by Col.<sup>o</sup> Fitzhugh

Read and Referred the Petition of Sundry Inhabitants of Queen Ann Parish in Prince Georges County, praying that a new Church may be Erected in said Parish—Sent by Walter Dulany Esq.

p. 427

His Excellency the Governor is pleased to Communicate to this House the following Message

Annapolis 15.<sup>th</sup> Dec.<sup>r</sup> 1769

Gentlemen

In the Journal of Accounts, now before your Honourable House, I am informed no Allowance has been made to me for Affixing the Great Seal of the Province to fifteen Proclamations of the late Acts in Favor of the American Trade, or to the Printer for Reprinting the said Acts



If the Upper House of Assembly has no other Objection to passing the aforesaid Journal, than their just Consideration of my Right and Interest therein, It is my desire that the Harmony of the Session may not at this time be broke in upon by an Assertion thereof—Yet let it not be understood that, by this, they or I give up the indubitable Right of my Self or my Successors, I only mean now to wa[i]ve it on my own Behalf.

U. H. J.  
Liber No. 36  
Dec. 15

I am Gentlemen  
Your most Obedient and very  
humble Servant.

Rob.<sup>t</sup> Eden

The honble Upper House of Assembly.

Mess.<sup>rs</sup> Johnson and Buchanan bring up a Bill, Entitled a Supplementary Act to the Act Entitled an Act for the Direction of Sheriffs in their Offices, and restraining their ill Practices within this Province—Read the first and Second time in the Lower House, and will Pass—Read the first time in this House, and ordered to lye on the Table.

Adjourned until 3 of the Clock in the Afternoon.

Post Meridiem.

This House met again according to Adjournment.

Present as in the Morning.

Mess.<sup>rs</sup> Luckett and Heugh bring up a Bill, Entitled an Act to appropriate the half Acre of Ground, therein Mentioned, to the Use of the Public School in Frederick County, Read the first and Second time in the Lower House and will Pass. Read the first and Second time, by an Especial Order, in this House, and will Pass—So Endorsed & Sent by Daniel Dulany Esq.

Read the Second time, by an Especial Order in this House, the Bill Entitled a Supplementary Act to An Act Entitled an Act for the Direction of Sheriffs in their Offices, and restraining their ill Practices within this Province, and will Pass with the following Amendments Strike out all that follows after the Word "*Suit*" in the Second line of the last Page—Sent by Daniel Dulany Esq.

Mess.<sup>rs</sup> Holliday and Wright bring up the following Engrossed Bills, Read and Assented to by the Lower House of Assembly

A Bill Entitled An Act to enable the Justices of Queen Anns County Court, for the time being, to Levy on the Taxable Inhabitants of Saint Lukes Parish, in the said County, a Quantity of Tobacco for building a Chapel in the said Parish. p. 428

A Bill Entitled a Supplementary Act to the Act entitled an Act for laying out anew, and settling and ascertaining the future Bounds and Limits of Saint Lukes, Christs Church, and Saint John's Parishes

U. H. J. in Queen Anns County, and Saint Pauls Parish, lying partly in  
 Liber No. 36 Queen Anns, and partly in Talbot Counties  
 Dec. 15

Mess.<sup>rs</sup> Graham and Several others bring up an Engrossed Bill, Entitled an Act for Emitting Bills of Credit, and other Purposes therein Mentioned—Read and Assented to by the Lower House of Assembly

The Journal of Accounts together with the following Message is Sent by George Steuart Esq.

By the Upper House of Assembly 15.<sup>th</sup> of December 1769.

Gentlemen.

In November Session 1766, when the last Journal of Accounts that Passed came into this House, it was returned with a Negative, because, among other Reasons, no Allowance was made therein to the late Governor for the Seals to Proclamations for the Purpose of notifying, to the People of this Province, Several Acts of Parliament relative to the British Colonies, or to the late Printer for Printing those Acts—In the present Journal there is the same Omission, as well as no Allowance made to the present Governor or Printer for a similar Claim, The first Reason assigned, at the above Session, upon the Conference that then took place, by the Conferrees of the Lower House, for not allowing the Claims of the late Governor and Printer, was, because the Publication of Acts of Parliament in this Province by Proclamation was without Precedent, to which the Conferrees of this House were instructed to Answer, that since it was alledged that the Publication of Acts of Parliament in this Province by Proclamation was without Precedent, and inasmuch as the Necessity of a Speedy Conclusion on the Business of the Journal would not admit of a full Enquiry into Precedents, this House were willing to refer the Consideration of the Matter to a future Session.

Upon the coming up of the Journal this Session, we made Search for and have found some Precedents on the Subject, but as it might be inconvenient at this Season to Enter into a full Examination thereof, so we are willing that the Consideration of the above Claims may be referred to a future Session, if you are averse from making the Allowance now

We further observe that you have not made the usual Allowance  
 p. 429 to the Clerk of the Council, and therefore cannot Pass the Journal of Accounts as it now Stands, but if you shall think Proper to make a Provision for his eventual Payment, in the same manner as was done in November Session 1766, We shall give Our Assent to the Passage thereof

Signed by Order UScott Cl. Up. ho.

Mess.<sup>rs</sup> Hall and Steele bring up a Bill, Entitled an Additional Supplementary Act to the Act entitled an Act for amending the Staple

of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees—Read the first and Second time in the Lower House and will Pass—Read the first and Second time, by an Especial Order in this House, and will not Pass—So Endorsed and sent by William Fitzhugh Esq.

U. H. J.  
Liber No. 36  
Dec. 15

Adjourned until to Morrow Morning 10 of the Clock.

Saturday Morning 16.<sup>th</sup> December 1769.

Dec. 16

This House met again according to Adjournment.

Present as Yesterday.

Read and Assented to by this House the three following Engross'd Bills.

A Bill Entitled an Act to enable the Justices of Queen Anns County Court, for the time being, to Levy on the Taxable Inhabitants of Saint Lukes Parish, in the said County, a Quantity of Tobacco for Building a Chapel in the said Parish.

A Bill Entitled a Supplementary Act to the Act Entitled an Act for laying out anew and settling and ascertaining the future Bounds and Limits of Saint Lukes, Christs Church, and Saint Johns Parishes in Queen Anns County, and Saint Pauls Parish, lying partly in Queen Anns and partly in Talbot Counties

A Bill Entitled An Act for Emitting Bills of Credit, and other purposes therein Mentioned—the Paper Bills were severally Endorsed, and Sent by Walter Dulany Esq.

Mess.<sup>rs</sup> Hayward and Gaunt, bring up the two following Bills, Read the first and Second time in the Lower House and will pass

A Bill Entitled An Act for the Speedy and Effectual Publication of the Laws of this Province, and for the Encouragement of Anne Catharine Green, of the City of Annapolis, Printer

A Bill Entitled a Supplementary Act to the Act entitled an Act ascertaining the Height of Fences, to prevent the Evils occasioned by the Multitude of Horses and restraining Horse Rangers within this Province, and to redress the Great Evil accruing to this Province by the Multiplicity of Useless Horses, Mares, and Colts that run in the Woods—These two Bills Read the first and Second time, by an Especial Order, in this House, and will Pass—So Endorsed and Sent by John Ridout Esq.

p. 430

Mess.<sup>rs</sup> Luckett and Heugh attend with M.<sup>r</sup> Thomas Sprigg Wootton, a Member Elected for Frederick County, to see him Qualified, who takes the Oaths to the Government, appointed to be taken by Act of Assembly, repeats and Subscribes the Oath of Abjuration and Test, and then withdraws

Mess.<sup>rs</sup> Johnson and Allen bring up an Engrossed Bill, Read and

U. H. J. Assented to by the Lower House of Assembly, Entitled a Supple-  
 Liber No. 36 mentary Act to the Act entitled an Act for the Direction of Sheriffs in  
 Dec. 16 their Offices, and restraining their ill Practices within this Province.  
 This Bill Read and Assented to by this House, and Ordered to be so  
 Subscribed, the Paper Bill so Endorsed sent by Walter Dulany Esq.<sup>r</sup>

Mess.<sup>rs</sup> Ware and Nicholas Thomas bring up a Bill, Entitled An  
 Act for the Relief of certain Languishing Prisoners in the several  
 Goals therein Mentioned, Read the first and Second time in the Lower  
 House and will Pass—Read the first time in this House and ordered  
 to Lye on the Table.

Mess.<sup>rs</sup> Ringgold and Mackall bring up the two following Bills—  
 Read the first and Second time in the Lower House and will Pass.

A Bill Entitled An Act for inforcing the Payment of Public  
 Monies, which was Read the first time in this House and Ordered  
 to lye on the Table.

A Bill Entitled An Act to Repeal part of an Act to encourage the  
 destroying of Wolves Crows and Squirrells, which was Read the  
 first and Second time, by an Especial Order, in this House, and will  
 Pass—So Endorsed and Sent by George Steuart Esq.

Mess.<sup>rs</sup> Johnson and Chase bring up a Bill Entitled An Act for  
 raising four Pence Sterling on every Hogshead of Tobacco, exported  
 out of this Province, for the Support of an Agent at London, for  
 the Service of this Province—Read the first and Second time in the  
 Lower House, and will Pass—Read the first and Second time, by an  
 Especial Order, in this House, and will not Pass.

Adjourned until Monday Morning 10 of the Clock.

Dec. 18 Monday Morning 18.<sup>th</sup> of December 1769.

This House met again according to Adjournment.

Present

The Honourable Richard Lee, Benedict Calvert, Daniel Dulany,  
 John Ridout, Walter Dulany, John Beale Bordley, George Steuart &  
 W.<sup>m</sup> Fitzhugh Esq.<sup>rs</sup>

Mess.<sup>rs</sup> Allen and Steele bring up the following Account of the  
 Proceedings of the Commissioners, appointed by Virtue of An Act  
 of Assembly of this Province, Entitled an Act for granting to the  
 p. 431 Nanticoke Indians a Compensation for the Lands therein Mentioned.

By the Commissioners nominated and appointed in and by an Act  
 of Assembly, made and passed at a Session of Assembly begun and  
 held at the City of Annapolis on Tuesday the 24.<sup>th</sup> Day of May Anno  
 Domini 1768, Entitled An Act for granting to the Nanticoke Indians  
 a Compensation for the Lands therein Mentioned

The Commissioners in Pursuance of the aforesaid Act, soon after



the Passing thereof, did Cause two Months Notice and upwards to be given, in the Maryland & Pensilvania Gazettees, of their Intention of Selling, by way of Vendue, to the Highest Bidder, on the 11<sup>th</sup> day of October then next following, all together, or in parcels as might best Suit the Purchasers, and at twelve Months Credit if required the Three Thousand Acres of Land in the said Act Mentioned. As a Platt of the said Land was necessary to enable them to Lay Off the same into Parcels, if it should so Suit the Purchasers, they did Employ a Surveyor to make an Accurate Survey thereof, and thereupon found that the Quantity of Three Thousand two hundred and fifty eight Acres was Contained within the Lines of the two Tracts, whereof the whole Consisteth

On the aforesaid 11.<sup>th</sup> Day of October they met on the said Land, and, having divided the same into five several Parcels, they did, conformable to the directions of the said Act, and their said Notice given, Sell the same to the Persons and at the Rates following Viz.<sup>t</sup>

One Parcell containing . . . . .	514 Acres to Bartlet Townshend at 9/ p Acre..	} 231.. 6..
One other Parcell containing . . . . .	829 Acres (one Acre whereon is erected a Public warehouse for the Inspection of Tob. <sup>o</sup> excepted to John Mitchell at 5/3 p Acre...)	
One other Parcell containing . . . . .	732 Acres to the same at 6/ p Acre.....	} 217..12..3
One other Parcell containing . . . . .	675 Acres to the same at 10/6 p Acre.....	
One other Parcell containing . . . . .	518 Acres to Jo. <sup>s</sup> Foreman at 5/ p Acre.....	} 218..12..
		} 354.. 7..6
		} 129..10..
The whole . . . . .	3268 Amount. <sup>d</sup> in Dollar a. <sup>t</sup> 7/6 ea. to the sum of	} £1152.. 7..9

[Editor's Note. The correct addition is £1151..7..9]

The Commissioners did, in Consequence of the said Sale on the 17 <sup>th</sup> Day of November then next ensuing, receive from the said Joseph Foreman in Dollars at 7/6 each the Sum of.....	} £129.10.
And take from the said Bartlet Townshend and John Mitchell, severally, and their Sureties, Bonds Payable to Bedingfield Hands Esq., then Treasurer of the Eastern Shore, for the Sums from them respectively due amounting to . . . . .	
	1022.17.9

The Commissioners having received, in Money and Bonds as af.<sup>d</sup>, the Sum of..... 1152..17..9 p. 432

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Did, on the said 17<sup>th</sup> day of November, Execute and Acknowledge Deeds of Bargain and Sale to the said Joseph Foreman, Bartlet Townshend, and John Mitchell, severally, for the Lands so as afore-said by them respectively purchased, and afterwards, Viz.<sup>t</sup> on the 5<sup>th</sup> Day of April last past, did, in further Conformity to the said Act, deliver to Bedingfield Hands Esq. the af.<sup>d</sup> Sum by them mentioned to have been received, and also the Bonds af.<sup>d</sup>, as by his Receipt therefor hereunto Annexed will appear.

The Sums by the Commissioners severally disbursed and expended, in Executing the Trusts to them Committed by the said Act, are as follow Viz.<sup>t</sup>

By William Allen, as per the Receipt of Will <sup>m</sup> Ellegood } hereunto Annexed . . . . .	...16....
By Levin Gale, as per his Account hereunto Annexed . .	11.17. 6
By Henry Steele, as per his Account likewise Annexed .	6. 6. 1
And their Commission on the said Sale, at the rate pre- scribed by the said Act Viz. <sup>t</sup> 5 per Cent amounteth to }	57.12. 4½
the whole of their Disbursements & Commissions as above mentioned make the Sum of . . . . . }	<u>£76.11.11½</u>

All which is Submitted to this General Assembly.

2.<sup>d</sup> December 1769

William Allen  
Levin Gale  
Henry Steele

The following Message, togethér with the Bill Entitled an Act for Issuing Writs of Replevin out of the County Courts of this Province, is sent by John Ridout Esq.

By the Upper House of Assembly December 18.<sup>th</sup> 1769  
Gentlemen.

The Apparent Object of the Bill, for Issuing Writs of Replevin out of the County Courts of this Province, is a Speedy Remedy to Persons living at a Distance from the Chancery; and this Object, you must Acknowledge, would be as Effectually obtained with as without Our Amendment.

As the Ease and Convenience of the People, arising from the Speedy Remedy, were really Consulted, so we flattered Ourselves that the Provision would not fail because the Profits of the Seals were not Allowed to be diminished, Had we attempted not to guard against the Abolition of an old Establishment, but to introduce a new Fee to the Chancellor upon Writts of Replevin, the Expression in Your Message "*paying a Fine under the Name of a Fee for the Facile obtaining of Justice,*" would have been more proper, and it appears to us to be not a little extraordinary, that a Bill, professedly calculated for the Relief of the People, should be laid aside because the Chancellor is not to pay for it.

The Convenience to the People, from the intended Law, you Sup-

posed would be great, and the Loss of the Seals trifling, if the Loss of the Fees would be trifling to the Chancellor the Payment of them would be trifling indeed to the whole Province but the Principle of the Regulation gives the Alarm.

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We are inclined to believe that his Excellency the Governor is, merely in respect of his Personal Advantage, very little Sollicitous about the Income from the Seals in this Instance, but this is not the Consideration, for the Office of Chancellor, in this Province, is entirely Supported by the profits of Seals to Patents, Writs, and to other Process, and he will think it his Duty to preserve them unimpaired, and not to Submit to any Attack upon them in one Instance, which, proving Successfull, might Countenance it on other Occasions, when the Pretence of Publick Convenience might be assumed to Cover the Design of Striking at the Support of a Constitutional Important Office.

The Support of the Chancellor in England doth not depend upon Fees for Seals to Writs, or other Process, and there seems to us to be as little Reason to deprive the Chancellor here of any part of the Provision, Established for his Support, because the Chancellor of England has it not as on the other hand could be advanced upon a Demand of a Provision here on the Ground that the Chancellor of England has it there

It is very true, that, by the Statute of Marlbridge, in the Case of Distress, the Sheriff on Plaint, may make Replevin to be entered in the Petty County Court incident to his Jurisdiction, but, as where he proceeds upon Writ of Replevin which Issues out of Chancery, on any Contest between the parties, the Cause is generally removed by another Writ out of Chancery to Westminster Hall, so, in the Case of a Plaint under the Statute the Removal to Westminster by Writ of Record are out of Chancery generally happens when the Cause of the Replevin is Disputed, and, if the Person out of whose Possession a Chattel is to be taken by the Replevin Claims Property in it the Sheriff is Stopped from further Proceedings till the Writ de Proprietate probanda is purchased. On what has been Suggested, and Considering what would be the Operation of the Bill, if passed into a Law without Our Amendment, it appears to Us that the Chancellor here would be totally deprived of the Profit from the Seals, tho on every Writ of Replevin in England the Seal is used at least once, frequently more than once, and on Plaints in Pursuance of the Statute of Marlbridge the Seal is always requisite in the Removal thereof, for Notwithstanding a Provision is made in the present Bill for the Removal of Replevins from the County Courts, Yet they being Courts of Record, the Removal would not be by Writ out of Chancery, and therefore, if Regard is to be had to the Practice in England, and an objection is valid when such Regard is not

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shewn, Permit us to observe that no Writ ever Issues out of the County Court or any other Inferior Court in England returnable to a Superiour, and yet by the Present Bill Replevins out of the County Court may be returnable into the Provincial, which on a further Consideration, in Consequence of your Intimation, that the Constitution of our Courts ought to be as perfect as Possible, we think would be rather incongruous and might be Inconvenient.

You are pleased to Observe in your Message that Replevins are generally prosecuted by needy Tenants, but we have been well informed that they have issued, in four Instances out of five at the least, where there has been no Distress at all, but upon Contests of Property, and therefore, (if our information be true) in regard to this extensive Operation of the Bill the 52<sup>nd</sup> of Henry 3<sup>rd</sup> does not apply to the Subject.

Signed by Order. UScott Cl. Up. Ho.

Read the Petition of Edward Tilghman, Solomon Wright, Mary Wright, Francis Barnes jun.<sup>r</sup>, Philemon Murphey, and James Coursey of Queen Anns County, and Thomas Coursey, John Coursey and Daniel Kellum of Talbot County and referred the same to the Consideration of the next Session of Assembly and the Clerk is directed to inform the Petitioners, that they do give Notice to all Persons, interested against the Passage of a Bill as prayed by the Petition such Notice, to be at least one Month before the beginning of the next Session.

On Motion made, Daniel Dulany Esq. brings in a Bill, Entitled An Act relating to Replevins, which was Read the first and Second time by an Especial Order in this House and will Pass—So Endorsed and sent by Walter Dulany Esq.

Read the Second time, in this House, the Bill Entitled An Act for inforcing the Payment of Public Monies, and will Pass—with the following Amendment Viz.<sup>t</sup> After the word “Commissioners” in the last line of the first Page, insert the following words, Viz.<sup>t</sup> “having first applied for and obtained his Excellency the Governor’s Approval.”

So Endorsed and Sent by Walter Dulany Esq.

Adjourned until three of the Clock in the Afternoon.

Post Meridiem.

This House met again according to Adjournment.

Present as in the Morning.

Read the Second time, in this House, the Bill Entitled An Act for the Relief of certain Languishing Prisoners in the Several Goals, therein Mentioned, and will Pass with the following Amendments



Viz.<sup>t</sup> Strike out the Names of "William Lock, Joseph Miller, John Rourke, John Smith, Moses Barney, Thomas Waters, John Brown, and Isaac Dawson, of Baltimore County, and Charles Kedwards of Ann Arundel County"—Sent by Benedict Calvert Esq. together with the following Message.

U. H. J.  
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Dec. 18

By the Upper House of Assembly 18.<sup>th</sup> December 1769  
Gentlemen.

Upon Representations made to this House, since the Petitions of William Lock, Joseph Miller, John Rourke John Smith Moses Barney Thomas Waters John Brown and Isaac Dawson of Baltimore County, and Charles Kedwards of Ann Arundel County, were referred to your Consideration, We think the above named Persons are not proper Objects of Relief, and have therefore, by Our Amendment to the Bill, Entitled "An Act for the Relief of certain Languishing Prisoners in the Several Goals therein Mentioned," proposed to Strike out their Names.

Signed by Order U: Scott Cl. Up. Ho.

Adjourned until to Morrow Morning 10 of the Clock.

Tuesday Morning December 19.<sup>th</sup> 1769.

Dec. 19

This House met again according to Adjournment.

Present and Yesterday and Col.<sup>o</sup> Hammond.

Mess.<sup>rs</sup> Johnson and Luckett bring up a Bill, Entitled An Act to aid the Navigation of Potowmack River—Read the first and Second time in the Lower House, and will Pass, Read the first time in this House and Ordered to lye on the Table.

Mess.<sup>rs</sup> Hayward and Contee bring up a Bill, Entitled an Act for imposing a further Additional Duty of ten Pounds Current Money per Poll on all Negroes imported into this Province. Read the first and Second time in the Lower House, and will Pass—Read the first and Second time, by an Especial Order, in this House, and will not Pass—so Endorsed & Sent by W.<sup>m</sup> Fitzhugh Esq.

Mess.<sup>rs</sup> Beall and Buchanan bring up the following Engrossed Bills, Read and Assented to by the Lower House of Assembly

p. 436

A Bill, Entitled an Act to repeal part of an Act to encourage the destroying of Wolves Crows and Squirrells

A Bill Entitled An Act to Appropriate the half Acre of Ground, therein mentioned, to the Use of the Publick School in Frederick County

A Bill Entitled a Supplementary Act to the Act entitled an Act ascertaining the Height of Fences, to prevent the Evils occasioned by the Multitude of Horses, and restraining Horse Rangers within

U. H. J. this Province, and to redress the great Evil accruing to this Province  
 Liber No. 36 by the Multiplicity of useless Horses, Mares, and Colts that run in  
 Dec. 19 the Woods

A Bill, Entitled An Act for the Speedy and effectual Publication of the Laws of this Province, and for the encouragement of Anne Catharine Green of the City of Annapolis Printer.

A Bill, Entitled An Act for the Relief of certain Languishing Prisoners, in the Several Goals therein mentioned.

These Bills Read and Assented to by this House, and Ordered to be so Subscribed, the Paper Bills so Endorsed are Sent by W.<sup>m</sup> Fitzhugh Esq.

Mess.<sup>rs</sup> Paca and Dickinson bring up a Bill Entitled An Act for preventing the Evil occasioned by Continuance of Suits at Law, on Suggestion of want of Evidence from beyond the Sea—Read the first and Second time in the Lower House and will Pass—Read the first and Second time by an Especial Order in this House and will Pass with the following Amendment, Viz.<sup>t</sup> After the Word "*Continued*" in the Eighth line from the Top insert the following Words "*on Suggestion*" strike out the Second Enacting Clause—So Endorsed and sent by Col.<sup>o</sup> Fitzhugh

Mess.<sup>rs</sup> Graham and Mackall bring up a Bill, Entitled An Act for building of a Parish Church in Christs Church Parish in Calvert County—Read the first and Second time in the Lower House and will Pass—Read the first and Second time, by an Especial Order, in this House, and will Pass, so Endorsed and Sent by Col.<sup>o</sup> Fitzhugh

Mess.<sup>rs</sup> Beall and Harrison bring up a Bill, Entitled an Additional Supplementary Act to the Act Entitled An Act to prevent the Abuses of concealing Convicted Felons, and other Offenders imported into this Province, and for the better Discovery of them—  
 p. 437 Read the first and Second time in the Lower House and will Pass—  
 Read the first time in this House and Ordered to lye on the Table—  
 Read the Second time by an Especial Order and will Pass with the following Amendment Viz.<sup>t</sup> Strike out the third Enacting Clause. So Endorsed and Sent by John Beale Bordley Esq.

Adjourned until 3 of the Clock in the Afternoon

Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Mess.<sup>rs</sup> Gaunt and Mackall bring up an Engrossed Bill Entitled An Act for building of a Parish Church in Christs Church Parish in Calvert County. Read and Assented to by the Lower House of Assembly. Read and Assented to by this House, and Ordered to be

so Subscribed, the Paper Bill so Endorsed Sent by Benedict Calvert Esq.

U. H. J.  
Liber No. 36  
Dec. 19

Adjourned until to Morrow Morning 10 of the Clock.

Wednesday Morning 20.<sup>th</sup> December 1769.

Dec. 20

This House met again according to Adjournment.

Present as yesterday except Col.<sup>o</sup> Hammond.

Mess.<sup>rs</sup> Mackall and Wootton bring up the following Engrossed Bills, Read and Assented to by the Lower House of Assembly

A Bill Entitled an Additional Supplementary Act to the Act Entitled An Act to prevent the Abuses of concealing Convicted Felons, and other Offenders imported into this Province, & for the better Discovery of them

A Bill Entitled An Act for preventing the Evil occasioned by Continuance of Suits at Law on Suggestion of want of Evidence from beyond the Sea—These Bills Read and Assented to by this House, and Ordered to be so Subscribed, the Paper Bills so Endorsed are sent by George Steuart Esq.

Adjourned until three of the Clock in the Afternoon.

Post Meridiem.

This House met again according to Adjournment.

Present as in the Morning.

Read the Second time in this House, A Bill Entitled An Act to Aid the Navigation of the River Potowmack, and referred the Same to the Consideration of the next Session of Assembly

The two following Bills are sent to the Lower House by John Beale Bordley Esq.

A Bill Entitled An Act continuing an Act Entitled an Act for Tryal of all Matters of Fact in the Several Counties where they have arisen or shall arise

A Bill Entitled An Act for raising four pence Sterling on every Hogshead of Tobacco exported out of this Province, for the Support of an Agent at London for the Service of this Province p. 438

Mess.<sup>rs</sup> Thomas and Griffith bring up a Bill Entitled An Act relating to Replevins, Read the first and Second time in the Lower House & will not Pass.

Walter Dulany Esq. brings in the following Report Viz.<sup>t</sup>  
Maryland ss.<sup>t</sup> 22.<sup>d</sup> November 1769

At a Committee of both Houses of Assembly, appointed to inspect the Office and Proceedings of the late Commissioners for paying Off

U. H. J. the Public Claims, and Emitting Bills of Credit Established by Act  
 Liber No. 36 of Assembly  
 Dec. 20

Were Present

The Honble { Benedict Calvert Esq. and } of the Upper House.  
 { Walter Dulany Esq. }

{ M.<sup>r</sup> Thomas Ringgold }  
 { M.<sup>r</sup> Charles Grahame } Of the Lower { M.<sup>r</sup> James Dickinson }  
 { M.<sup>r</sup> Samuel Wilson } House { M.<sup>r</sup> Josias Beall }  
 { M.<sup>r</sup> B. T. B. Worthington } { M.<sup>r</sup> John Eden, and }  
 { M.<sup>r</sup> Henry Steele }

Who make Choice of and appoint the Honourable Benedict Calvert Esq. Chairman, and James Brooks their Clerk, and agree to make the following Report Viz:†

Your Committee find, that, by an Account of the Trustees in London Dated the 22.<sup>d</sup> of May 1769, that there was then £34,000 Capital Stock in the Bank of England, belonging to the Province, which Cost £44004..12..9 and a Balance of £138..5..4 not invested

That, of the Bills drawn by the late Commissioners, there was then Still unpaid one Bill amounting to £637..16..—which had not been presented, that the Trustees have, by an Account dated the 26.<sup>th</sup> of April 1768, passed to the Credit of this Province £317..19..6, received in three Bills of Exchange Remitted by the late Commissioners.

Your Committee have made some small Progress in Examining the Vouchers and Receipts for the Payments made by the Commissioners to the Sundry Claimants on the Public, and find them Right as far as their Examination has proceeded, but the Business of the Session, and the Severity of the Season have rendered it impossible for your Committee to finish the whole

	Dollars
p. 439 Your Committee have paid to Sundry Claimants, for Allowances on the Journal and List of Debts, this Present Session .....	209 2/ 9
To His Excellency the Governor, as per Act of Assembly passed this Session .....	800
To the Commissioners for Selling the Lands of the Nanticoke Indians for their Commission and Expences .....	204 2/ 9
To Sundries, for Torn and defaced Bills which your Committee have Burnt .....	22 11/18
There is Still due to Sundry Claimants on the Journal and List of debts .....	2498
And there remains in the Iron Chest unapplied .....	18930 7/18
	<u>22664 4/ 9</u>



All which is Submitted to the Consideration of both Houses of Assembly this 20.<sup>th</sup> Day of December 1769.

U. H. J.  
Liber No. 36  
Dec. 20

Benedict Calvert  
Walter Dulany  
Thomas Ringgold  
Charles Grahame  
Josias Beall  
James Dickinson  
John Eden

The following Addresses being prepared are Read and approved of, and were presented by the whole House to His Excellency the Governor

To His Excellency Robert Eden Esq. Governor and Commander in Chief in and over the Province of Maryland.

The Humble Address of the Upper House of Assembly  
May it please Your Excellency.

Having prepared an Address to the Right Honourable the Lord Proprietary, in Answer to his Message communicated, by Your Excellency to both Houses of Assembly, at the Opening of this Session, We beg the Favor that you will be pleased to transmit the same to His Lordship.

Charles Hammond

20.<sup>th</sup> December 1769

To

The Right Honourable Frederick Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c.<sup>a</sup>

The Humble Address of the Upper House of Assembly  
My Lord

The very obliging Message from Your Lordship, communicated to the general Assembly of your Province of Maryland, at the Opening of this Session, by His Excellency Governor Eden, claims our warmest thanks and most respectful Acknowledgments. p. 440

That the genuine Interests of your Lordship, and of your Province are inseparable is a Sentiment most Just, most worthy to be Cherished, and your Lordships Publick and most explicit Declaration, that he will ill recommend himself to You who does not make the Happiness of Your Province his first Object, demonstrates such an earnest desire of effectuating the Noblest Ends of Government as ought, and we would fain hope can't fail to be received with the most Cordial and lasting Gratitude, by those whose Welfare and Property are thus tenderly regarded by your Lordship, and since with such generous Sentiments your Lordship has been pleased, in Terms the most Affectionate and ample, to express your Appropa-

U. H. J. tion of our late Governor's Conduct, after so long Experience of his  
 Liber No. 36 faithful Service, He can derive no additional Commendation from a  
 Dec. 20 Rep[et]ition of our Eulogy.

Permit us, my Lord, most unfeignedly to assure you, that the appointment of M.<sup>r</sup> Eden, a Gentleman so much Endear'd to you by the nearest Tyes of Affinity, Friendship, and Affection, and who has given the most agreeable and engaging Proofs of his conciliating Affability, and Inclination to make the People under his Government happy, Affords us the Highest Satisfaction.

We want words to express the lively Sense we entertain of Your Lordships Goodness, so eminently displayed in your recommending to both Houses the Improvement of your Province, and the Advancement of its Happiness, and most sincerely wish, that so fair and encouraging an Invitation from your Lordship, by attracting as it ought the general Attention to Subjects of general Utility, may utterly extinguish every Spark of Party Animosity, and raise and invigorate that benef[ic]ent Spirit which is emulous only of promoting the Publick Happiness.

We beg your Lordship to rest assured, that, as we hold it to be on all Occasions our inviolable Duty, so we shall, with the most resolved and unalterable Firmness, vindicate your just Rights and Prerogatives, nor shall any reproaches ever deter us from an uniform and Steady Pursuit of this Principle, upon which, too, the real and essential Interest of the People depend, whose Good Opinion we would rather Chuse to deserve than to have without deserving it

p. 441 It is, my Lord, our warmest wish that you may long, very long, Enjoy the exquisite Satisfaction of diffusing happiness among the People of this Country, and receive from them commensurate Retributions of Duty Affection and Gratitude.

Charles Hammond

20.<sup>th</sup> December 1769

George Steuart and William Fitzhugh Esq.<sup>rs</sup> are sent to acquaint the Speaker, that His Excellency requires his immediate Attendance, with the Lower House, to see the Bills passed this Session, receive the Assent.

The Lower House attend and by their Speaker present to His Excellency the following Bills.

A Bill Entitled An Act for the Relief of Mary Hindman of Talbot County.

A Bill Entitled An Act to enable the Justices of Queen Anns County Court, for the Time being to Levy on the Taxable Inhabitants of Saint Lukes Parish in the said County, a Quantity of Tobacco for building a Chapel in the said Parish

A Bill Entitled a Supplementary Act to the Act Entitled An Act for laying out a new and Settling and ascertaining the future Bounds

and Limits of Saint Lukes, Christs Church, and Saint John's Parishes in Queen Anns County, and Saint Pauls Parish, lying partly in Queen Anns and partly in Talbot Counties.

U. H. J.  
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A Bill Entitled An Act for Emitting Bills of Credit, and other Purposes therein Mentioned

A Bill Entitled a Supplementary Act to the Act Entitled An Act for the Direction of Sheriffs in their Offices, and restraining their ill Practices within this Province.

A Bill Entitled An Act to repeal Part of an Act to encourage the Destroying of Wolves Crows and Squirrells.

A Bill Entitled An Act to appropriate the half Acre of Ground, therein mentioned, to the Use of the Public School in Frederick County

A Bill Entitled a Supplementary Act to the Act Entitled An Act ascertaining the Height of Fences, to prevent the Evils occasioned by the Multitude of Horses, and restraining Horse Rangers within this Province, and to redress the great Evils accruing to this Province by the Multiplicity of useless Horses, Mares, and Colts that run in the Woods.

A Bill Entitled An Act for the Speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Ann Catharine Green of the City of Annapolis Printer

A Bill Entitled An Act for the Relief of certain Languishing Prisoners in the Several Goals therein mentioned. p. 442

A Bill Entitled An Act for the building of a Parish Church in Christs Church Parish in Calvert County.

A Bill Entitled an Additional Supplementary Act to the Act Entitled An Act to prevent the Abuses of concealing Convicted Felons and other Offenders imported into this Province, and for the better Discovery of them.

A Bill Entitled An Act for preventing the Evil occasioned by Continuance of Suits at Law, on Suggestion of want of Evidence from beyond the Sea

All which His Excellency passed into Laws in the usual form, by Sealing them with the Right Honourable the Lord Proprietary his Great Seal at Arms, and Subscribing them, On behalf of the Right Honourable the Lord Proprietary of this Province I Will this be a Law.

After which His Excellency was pleased to make the following Speech.

Gentlemen of the Upper and Lower Houses of Assembly.

I cannot take my Leave of you on this Occasion without expressing my Acknowledgment of the Obliging Testimony you have been pleased to give me of your Regard.

U. H. J.  
Liber No. 36  
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M.<sup>r</sup> Speaker and Gentlemen of the Lower House

Your Steady Application to the Business, brought before you, Notwithstanding your well founded apprehensions of the inclement Weathers Setting in, shews you justly worthy of the Trust your Constituents have placed in you.

Gentlemen of both Houses.

The Medium of Commerce was much wanted in this Province, Your Attention to the Mercantile Interest has Supplied it. Nor could a more Favorable Opportunity of Erecting the necessary Publick Buildings, without burthening the Subject by Additional Taxes, have offered than this you have made Choice of, and, from the Zeal of your Commissioners, I have no doubt that I shall see them compleated with the same Spirit with which you have so Amply provided for that purpose

By and with the Advice of his Lordships Council of State, I now Prorogue this Assembly to the Second Tuesday in May 1770, you will accordingly please to take Notice that you are Prorogued to that Day

Thus Ends this Session of Assembly, begun and held at the City of Annapolis, on Friday the Seventeenth Day of November, ending the Twentieth Day of December following, in the Nineteenth Year of his Lordships Dominion Anno Domini 1769.

UScott Cl. Up. Ho.



# PROCEEDINGS

## OF THE

### LOWER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Friday the 17.<sup>th</sup> Day of November in the Year of our Lord one thousand seven hundred and sixty nine, and in the Nineteenth Year of the Dominion of the Right Honorable Frederick absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore &c.<sup>a</sup> (His Excellency Robert Eden Esq being Governor) the following Members appeared in the Lower House

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The Honble Robert Lloyd Esquire Speaker

For Saint Marys County

M.<sup>r</sup> Thomas Key  
M.<sup>r</sup> William Thomas

For Kent County

M.<sup>r</sup> Thomas Ringgold  
M.<sup>r</sup> Stephen Bordley

For Ann Arundel County

M.<sup>r</sup> Samuel Chase  
M.<sup>r</sup> Brice T. B. Worthington  
M.<sup>r</sup> Thomas Johnson jun.<sup>r</sup>  
M.<sup>r</sup> Henry Griffith

For Calvert County

M.<sup>r</sup> Benjamin Mackall 4.<sup>th</sup>  
M.<sup>r</sup> Edward Gantt

For Charles County

M.<sup>r</sup> Francis Ware

For Somerset County

M.<sup>r</sup> William Hayward  
M.<sup>r</sup> Thomas Dashiell  
M.<sup>r</sup> Samuel Wilson

For Talbot County

M.<sup>r</sup> James Dickinson  
M.<sup>r</sup> John Goldsborough  
M.<sup>r</sup> Matthew Tilghman  
M.<sup>r</sup> Nicholas Thomas

For Dorchester County

M.<sup>r</sup> Daniel Sulivane  
M.<sup>r</sup> Henry Hooper

For Cæcil County

M.<sup>r</sup> John Veazy  
M.<sup>r</sup> William Ward

For Prince Georges County

M.<sup>r</sup> Josias Beall  
M.<sup>r</sup> Robert Tyler

For Queen Anns County

M.<sup>r</sup> James Hollyday  
M.<sup>r</sup> Thomas Wright

For Worcester County

M.<sup>r</sup> William Allen  
M.<sup>r</sup> Parker Selbey

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For Frederick County

M.<sup>r</sup> Thomas Jenings

M.<sup>r</sup> William Lockett

A sufficient number of Members being convened at the Stadt House:

Ordered, That M.<sup>r</sup> Goldsborough and M.<sup>r</sup> Gantt, do acquaint His Excellency the Governor therewith. They return and acquaint M.<sup>r</sup> Speaker they delivered the Message.

Benedict Calvert and Daniel Dulany Esquires from the Upper House, acquaint M.<sup>r</sup> Speaker his Excellency the Governor requires the attendance of the Members of the Lower House immediately in the Upper House.

M.<sup>r</sup> Speaker left the Chair and, attended by the Members of the Lower House, went to the Upper House, where his Excellency made the following Speech.

Gentlemen of the Upper and Lower Houses of Assembly,

From my Desire of Accomodating the Public Business to your Private Affairs, I have delayed calling you together, nor should I, did not the Exigencies of Government make it necessary, now meet  
p. 2 you merely to notify the Lord Proprietary's appointment of me to succeed Colonel Sharpe as Governor of this Province, to merit which Honor, and the Trust thus reposed in me, I shall ever consider it to be my indispensable Duty to Promote, on all Occasions, the Prosperity of Maryland

Gentlemen of the Lower House

Convinced, as I am, that the real Interests of the Lord Proprietary, and the People of this Province are inseperable, I meet this Assembly with the most agreeable Prospect. From your Attachments to the Welfare of your Country; from your Knowledge of its Circumstances; and from your Moderation and Prudence, I derive the most persuasive and pleasing Expectation, that this Session will be distinguished by the Benefits which a dispassionate and amicable Inter-course cannot fail to produce, by the Propriety of your Proceedings, and by the Utility of those Laws which shall be enacted.

His Lordship has been pleased to assure you in the Message I am now to have the Honor of delivering to you, that if you will prepare the Plan for the further Improvement of the Province, his Encouragement shall not be wanting. Though I warmly wish that a well founded Provision for a more liberal Institution of Youth may be established here, yet, I do not undertake at this Time to recommend particular Objects to your Attention. The Observations I have made during the short Interval since my Arrival not affording me sufficient Grounds; and, if that Interval had been much longer, your

Experience would probably anticipate my Recommendations: But give me leave to assure you, you may always rely upon my most cordial Concurrence in every Measure you may propose conducive to the Welfare and Happiness of the Province.

L. H. J.  
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Gentlemen of both Houses

I am sensible I shall be judged of by my Actions, and not by any Assurances I may now give you of my future Conduct: To that Test I most readily submit, and shall be truly happy, when I leave you, to be able, like my Predecessor, to lay my Hand on my Heart, in Confidence of having Acted solely on the Principles here laid down, and of having merited, by so doing, the Thanks of those over whom I have the Honor to preside.

The Governor delivered M.<sup>r</sup> Speaker the following Message

Gentlemen of the Upper and Lower Houses of Assembly,

F. Baltimore.

At the same Time I introduce your new Lieutenant Governor, permit me to take a becoming Leave of his Predecessor.

M.<sup>r</sup> Sharpe has justly intitled himself to my most grateful Acknowledgements, for his many Years faithful service to me, and, I trust, a constant Attention to the true Interest of my Province; our Interest are indeed, inseperable, and he will ill recommend himself to me, who does not make the Happiness of my Province his first Object.

M.<sup>r</sup> Eden is, I acknowledge, my Brother in-Law, and endeared to me by the nearest Ties of Affinity, Friendship, and Affection; but could I distrust his Abilities or Inclination, to make you a Happy People, he is the last Person to whom I would have delegated my Authority. Receive him then as you find him; credit us both 'til you have tried him, and if upon experiment his Merits shall be found to outweigh his Failings, excuse my Partiality and render him the Justice he shall deserve: I ask no more nor will you return us less.

p. 3

If any further Progress can be made in the Improvement, or Addition procured to the Happiness of my Province, do you prepare the Plan, and my Encouragement shall not be wanting.

F. B.

M.<sup>r</sup> Edward Tilghman, a Delegate returned for Queen Anns County, appeared in the House.

Ordered, That M.<sup>r</sup> Hollyday and M.<sup>r</sup> Wright do go with M.<sup>r</sup> Tilghman to the Upper House, to see him qualified. They return and acquaint M.<sup>r</sup> Speaker they saw him qualified in the usual Manner.

The Gentleman took his Seat in the House

Ordered, That the Governor's Speech and Lord Baltimore's Message be read the First Time.

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Nov. 17

Ordered, That the said Speech and Message be read a Second Time.

Ordered, That M.<sup>r</sup> Hollyday, M.<sup>r</sup> E. Tilghman, M.<sup>r</sup> M. Tilghman, M.<sup>r</sup> Hayward, M.<sup>r</sup> Ringgold, and M.<sup>r</sup> Dickinson, do prepare and bring in an Address to his Excellency, in Answer to his Speech.

It appearing to this House, that M.<sup>r</sup> Thomas Jenings, a Member for Frederick County, has accepted of the Office of Attorney General since the last Session of Assembly,

Resolved, That his Seat is thereby vacated, and M.<sup>r</sup> Speaker is desired to acquaint M.<sup>r</sup> Jenings, that he is dismissed from any further Attendance; which he accordingly did.

Ordered, That M.<sup>r</sup> Speaker do issue his Warrant to the Secretary of this Province, requiring him to make out new Writs of Election, dire[c]ted to the Sheriff of Cæcil County, to Elect a Delegate to serve in this present General Assembly in the room of M.<sup>r</sup> Henry Baker, Deceased. To the Sheriff of Prince Georges County, to elect two Delegates in the room of Messieurs William Murdock and Francis Waring, Deceased. To the Sheriff of Dorchester County, to elect a Delegate in the room of M.<sup>r</sup> Philemon Lecompte, Deceased. And to the Sheriff of Frederick County, to elect two Delegates in the room of M.<sup>r</sup> Joseph Chapline, Deceased, and M.<sup>r</sup> Thomas Jenings, whose Seat is vacated.

The House adjourns 'til To-morrow Morning 9 o'Clock

Nov. 18

Saturday, November 18.<sup>th</sup>

The House met according to Adjournment.

The Members were called and all appeared as Yesterday.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Robert Buchanan appeared in the House.

Ordered, That M.<sup>r</sup> Goldsborough, M.<sup>r</sup> Wilson, and M.<sup>r</sup> N. Thomas, be a Committee to enquire what Laws will expire this Session, and Report the same to the House.

Ordered, That the Rules of last Session, be observed this Session.

Resolved, That the Hours for sitting for Dispatch of Public Business, during this Session, be from Nine o'Clock in the Morning, until one o'Clock in the Afternoon.

Ordered, That a Message be prepared, acquainting the Upper House therewith.

Ordered, That M.<sup>r</sup> Johnson, and M.<sup>r</sup> Chase be added to the Committee appointed to prepare an Address to his Excellency.

p. 4 Ordered, That the Committee appointed to prepare an Address to the Governor, do also prepare and bring in an Address to Lord Baltimore in Answer to his Message.



Ordered, That M.<sup>r</sup> Ringgold, M.<sup>r</sup> Dickinson, M.<sup>r</sup> Worthington, M.<sup>r</sup> Beall, and M.<sup>r</sup> Wilson, be a Committee to inspect the Accounts and Proceedings of the Commissioners appointed by virtue of the Act for the Payment of the Public Claims, for emitting Bills of Credit, and for other Purposes therein mentioned.

L. H. J.  
Liber No. 54  
Nov. 18

M.<sup>r</sup> Ward, M.<sup>r</sup> Hayward, M.<sup>r</sup> Goldsborough, and M.<sup>r</sup> M. Tilghman, be a Committee of Elections and Privileges.

M.<sup>r</sup> Goldsborough, M.<sup>r</sup> Sulivane, M.<sup>r</sup> Wright, and M.<sup>r</sup> Dickinson, a Committee of Accounts. Mr. Allen added thereto.

M.<sup>r</sup> Hayward, M.<sup>r</sup> Allen, M.<sup>r</sup> N. Thomas, M.<sup>r</sup> Hooper, M.<sup>r</sup> Bordley, M.<sup>r</sup> Worthington, M.<sup>r</sup> Veazy, M.<sup>r</sup> Ware, M.<sup>r</sup> Hollyday, M.<sup>r</sup> E. Tilghman, M.<sup>r</sup> Johnson, and M.<sup>r</sup> Chase, a Committee of Grievances and Courts of Justice

Messieurs John Duckett, and James Brook, appointed Clerks to the several Committees.

M.<sup>r</sup> Zadock Purnel appeared in the House.

M.<sup>r</sup> Gantt, at the request of M.<sup>r</sup> Thomas Cockey Deye, brought in and delivered to M.<sup>r</sup> Speaker, a Petition of sundry Inhabitants of Baltimore County, complaining of Mal-Conduct in the Sheriff, and and illegal return of Representatives. Which was read.

Ordered that the same be taken into Consideration on Monday the 27.<sup>th</sup> Day of this Instant, and that the Clerk of this House do make out all such Copies and Subpœnas as shall be applied for relative to said Petition.

Ordered, That the Clerk do issue Process against Daniel Chamier Sheriff of Baltimore County, commanding his Attendance at the Bar of this House on Monday the 27.<sup>th</sup> Day of this Instant, and also that he bring with him the Polls and whole Proceedings relative to the late general Election of Representatives for that County.

M.<sup>r</sup> Johnson, and M.<sup>r</sup> Chase, have leave of absence 'til Monday Week.

M.<sup>r</sup> Bordley has leave of absence 'til Thursday next

Ordered, That M.<sup>r</sup> Chase do acquaint the Rev.<sup>d</sup> M.<sup>r</sup> Edmiston, that he is desired by this House, to read Divine Service every Morning, during this Session, at a Quarter before Nine o'Clock

The House adjourns 'til Monday Morning 9 o'Clock

Monday, November 20.<sup>th</sup>

Nov. 20

The House met according to Adjournment.

The Members were called and all appeared as on Saturday, except M.<sup>r</sup> Johnson, M.<sup>r</sup> Chase, M.<sup>r</sup> Key, and M.<sup>r</sup> Bordley.

M.<sup>r</sup> Harrison appeared in the House.

L. H. J. Daniel Dulany Esq from the Upper House, delivered to M.<sup>r</sup>  
 Liber No. 54 Speaker, the Petition of the Rector, Vestrymen, Church Wardens,  
 Nov. 20 and sundry Inhabitants of Prince Georges Parish in Frederick and  
 Prince Georges Counties praying for an Assessment of 128,000 lb :  
 Tobacco, for the building a Church in said Parish.

The Petition of Peter Haldimand praying that an Act might pass  
 for his Naturalization; and the Remonstrance of the Justices of  
 Ann Arundel County, respecting the Jail of said County; severally  
 indorsed: "By the Upper House of Assembly November the 20.<sup>th</sup>  
 1769, read, and referred to the Consideration of the Lower House  
 of Assembly.

Sign'd by Order U Scott Cl: Up: Ho:."

The House adjourns 'til To -morrow Morning 9 o'Clock

Nov. 21

Tuesday, November 21.<sup>st</sup>

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Saturday, and Yesterday were read.

p. 5 John Ridout Esq, from the Upper House, delivered to M.<sup>r</sup>  
 Speaker, the Petition [of John Scarborough,] of Worcester County.  
 The Petition of the Rector, Vestrymen, and Church Wardens of  
 Somerset Parish in Somerset County; and the Petition of the Rector,  
 Vestrymen, and Church Wardens of Saint Pauls Parish lying partly  
 in Queen Anns and partly in Talbot County; severally indorsed: "By  
 the Upper House of Assembly November 21.<sup>st</sup> 1769, read and re-  
 ferred to the Consideration of the Lower House of Assembly.

Sign'd by Order U Scott Cl: Up: Ho:."

M.<sup>r</sup> Hollyday brought in, and delivered to M.<sup>r</sup> Speaker, the follow-  
 ing Address.

To his Excellency Robert Eden Esq; Governor and Commander in  
 Chief in and over the Province of Maryland

The Humble Address of the House of Delegates.

May it please your Excellency,

We, his Majesty's most dutiful and loyal Subjects, the Delegates  
 of the Freemen of Maryland, in General Assembly convened, return  
 your Excellency our sincere Thanks, for your kind and affectionate  
 Speech at the Opening of this Session. We cordially congratulate  
 you upon your appointment to succeed your worthy Predecessor,  
 Colonel Sharpe, in the Government of this Province, and upon your  
 safe Arrival, with your Lady and Family, to take upon you the Ad-  
 ministration. The Honor of this great and Important Trust you  
 cannot fail, Sir, of meriting, so long as you consider it your indis-

pensible Duty to promote, on all Occasions, the Prosperity of Maryland. And while we indulge ourselves with the pleasing Prospect of a mild and equitable Government, permit us to assure your Excellency, that it will ever give us Pleasure, when we can, in any Manner, contribute to make your Administration easy and agreeable to your self, and honorable to the Lord Proprietary.

L. H. J.  
Liber No. 54  
Nov. 21

Your Desire of accommodating the Public Business to our private Affairs, demands our sincere Acknowledgments; and as the Exigencies of Government have made it necessary to call us together at this Time, we shall with cheerfulness submit to the Inconveniencies arising from a Meeting of Assembly at so late a Season.

Convinced as we are with your Excellency, that the real Interests of the Lord Proprietary and the People of this Province are inseparable, we venture to hope that our Conduct in the Course of the Session, will so manifest our Attachment to the Welfare of our Country, that your Excellency will not be disappointed in the Expectation you are pleased to entertain, being determined to pursue the Business with that Temper and Moderation, and to cultivate that amicable Intercourse so essentially necessary to the Attainment of those Benefits which are the Objects of our Meeting:

It gives us great satisfaction to be assured in the Message with which his Lordship has honored us, and which your Excellency was pleased to deliver, of his Willingness to encourage any Plan for the Improvement, or Addition to the Happiness of his Province, which the Relation you bear to his Lordship, and the Sentiment of Friendship and Affection for, and Confidence in you, he is pleased to express, afford us the most agreeable Hope it will be as much in your Power, as we believe it is your Inclination, greatly to promote.

The warm concern you are pleased, Sir, to express for the Welfare of the rising Generation, and your Assurance that we may rely upon your most cordial Concurrence in every Measure we may propose, conducive to the Welfare and Happiness of the Province, have a just Claim to our most sincere Thanks. And, though we join you in wishing for a well founded Provision for the more liberal Institution of Youth; yet, we hope we shall stand excused in not entering upon a Consideration of that Matter at this Time, when the severe Season of the Year is so nearly approaching.

We receive your Excellency's Assurances as an Earnest of your future Conduct. We persuade ourselves that by that Test they will be justified; and we cannot but indulge ourselves with the warmest Expectations, that you will always have the Happiness to receive, for having acted solely upon the Principles you have been pleased to lay down, the united Thanks and Applause of a grateful People.

p. 6

Which was read, approved of, and Ordered to be Ingross'd

The Petitions and Remonstrance delivered, Yesterday, by Daniel Dulany Esq, read the first Time, and Ordered to lie on the Table.

L. H. J.  
Liber No. 54  
Nov. 21

The Petitions delivered by John Ridout Esq, read the first Time and Ordered to lie on the Table.

M.<sup>r</sup> Goldsborough brought in, and delivered to M.<sup>r</sup> Speaker, the following Report

By the Committee appointed by the Honorable the Lower House of Assembly, to enquire what Laws will expire at the End of this Session, if not continued. November 20<sup>th</sup> 1769.

Your Committee find, that the following Acts of Assembly will expire at the End of this Session, if not continued, Viz.<sup>t</sup>

A Supplementary Act to the Act, entitled, An Act for ascertaining what Damages shall be allowed, upon Protested Bills of Exchange; pass'd November Session 1765.

An Act to prevent the Mischiefs arising from the Multiplicity of useless Dogs, and other Purposes therein mentioned; pass'd November Session 1765, and the Supplementary Act thereto; pass'd November Session 1766.

An Act for repairing the Public Roads in this Province, made at a Session of Assembly begun and held at the City of Annapolis the 2.<sup>d</sup> Day of October 1753; also the Supplementary Act thereto made at a Session of Assembly begun and held at the City of Annapolis the 23.<sup>d</sup> Day of February 1756.

An Act to encrease the Allowance of Jurors attending the Provincial and County Courts, and for other Purposes therein mentioned; pass'd November Session 1765

An Act for destroying of Crows and Squirrels in particular Counties, and of Red Foxes in Kent and Queen Anns Counties; pass'd November Session, 1765: Part of this Act is repealed by an Act pass'd in November Session 1766

An Act for Tryal of all Matters of Fact in the several Counties where they have arisen or shall arise; pass'd May Session 1766.

A Supplementary Act to the Act entitled An Act for ascertaining the Height of Fences to prevent the Evil occasioned by the Multitude of Horses, and restraining Horse Rangers within this Province; and to redress the great Evil accruing to this Province, by the Multiplicity of useless Horses, Mares, and Colts, that run in the Woods; made at a Session of Assembly begun and held at the City of Annapolis the 8.<sup>th</sup> Day of May 1750.

An Act to ease the Inhabitants of this Province, and to empower the Justices of the several Counties, to bind out Persons therein mentioned, Apprentices; pass'd November Session 1766.

An Act to oblige infected Ships, and other Vessels, coming into this Province to perform Quarentine; pass'd November Session 1766.

Your Committee also beg leave to observe, that the Act, entitled, An Act for amending the Staple of Tobacco, for preventing Frauds



in his Majesty's Customs and for the limitation of Officers Fees; made at a Session of Assembly begun and held at the City of Annapolis the 4.<sup>th</sup> Day of October 1763, and the Supplementary Act thereto; pass'd November Session 1766, will expire (unless further continued) on the 25.<sup>th</sup> Day of December next

L. H. J.  
Liber No. 54  
Nov. 21

And also, that the Act pass'd last Session, entitled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Ann Catharine Green of the City of Annapolis, Printer, will expire (unless further continued) on the 25.<sup>th</sup> Day of December next

All which is humbly submitted to the Consideration of your honorable House

Sign'd p Order. James Brooks Clk Com

Which was read the first Time and Ordered to lie on the Table

On Motion that a Bill be brought in to regulate the Variation of the Compass, in running out Land in this Province, p. 7

Ordered, That M.<sup>r</sup> Ringgold, M.<sup>r</sup> Beall, M.<sup>r</sup> Harrison, M.<sup>r</sup> Dickinson, M.<sup>r</sup> M. Tilghman, and M.<sup>r</sup> Wright do prepare and bring in the same

M.<sup>r</sup> Ware delivered to M.<sup>r</sup> Speaker the Petitions of William Wright, and John Doncastle, languishing Prisoners in Charles County Jail, complaining of cruel Treatment from Richard Lee jun.<sup>r</sup> Esq<sup>r</sup> Sheriff of that County; which were read the first Time and Ordered to lie on the Table.

Ordered, That the Committee of Grievances publish in the Maryland Gazette, their Time and Place of sitting during this Session

M.<sup>r</sup> Hollyday brought in and delivered to M.<sup>r</sup> Speaker the engross'd Address to his Excellency; which was read and assented to, and signed by Order of the House, by the honorable Speaker.

Ordered, That M.<sup>r</sup> Hayward and M.<sup>r</sup> Worthington do wait on his Excellency and acquaint him that this House hath prepared an Address to be presented to him, and desires to know when and where he will be pleased to receive it. They return and acquaint M.<sup>r</sup> Speaker, they delivered the Message, and that his Excellency was pleased to signify he would receive the Address To-morrow Morning at half an Hour after Nine, in the Conference Chamber.

M.<sup>r</sup> John Moale, a Delegate returned for Baltimore County, appeared in the House.

Ordered, That M.<sup>r</sup> Beall and M.<sup>r</sup> Ware do go with the Gentleman to the Upper House to see him Qualified.

They return and acquaint M.<sup>r</sup> Speaker they saw him Qualified in the usual Manner. The Gentleman took his Seat in the House.

The following Messages sent to the Upper House, by M.<sup>r</sup> Worthington, and M.<sup>r</sup> Wilson.

L. H. J.  
Liber No. 54  
Nov. 21

By the Lower House of Assembly, November 18<sup>th</sup> 1769.  
May it please your Honors

This House hath appointed M.<sup>r</sup> Ringgold, M.<sup>r</sup> Dickinson, M.<sup>r</sup> Worthington, M.<sup>r</sup> Beall, and M.<sup>r</sup> Wilson, to join one or more of the Members of your House as a Committee, to inspect the Accounts and Proceedings of the Commissioners appointed by virtue of the Act for the Payment of the public Claims, for emitting Bills of Credit, and for other Purposes therein mentioned

Sign'd by Order. T. Wright Cl: Lo: Ho:

By the Lower House of Assembly, November 21<sup>st</sup> 1769.  
May it please your Honors,

This House have resolved to sit only from Nine of the Clock in the Morning, til One in the Afternoon, during this Session, with which we thought proper your Honors should be made acquainted.

Sign'd by Order. T. Wright Cl: Lo: Ho:

The House Adjourn's 'til To-morrow Morning 9 o'Clock.

Nov. 22

Wednesday, November 22.<sup>d</sup>

The House met according to Adjournment.

The Members were called, and all appeared as on Yesterday.

M.<sup>r</sup> Gresham appeared in the House.

The Proceedings of Yesterday were read.

Ordered, That the Committee of Grievances and Courts of Justice, do send for all such Papers, Persons, and Things, as they may find necessary in Order to enable them to execute the Duties of the said Committee.

The Petitions of John Doncastle, and William Wright, read a second Time, and referred to the Consideration of the Committee of Grievances, to make enquiry into the same, and make Report this Afternoon, as the House will sit to receive the same.

Benedict Calvert Esq from the Upper House delivered to M.<sup>r</sup> Speaker the following Message.

p. 8

By the Upper House of Assembly Nov.<sup>r</sup> 21.<sup>st</sup> 1769.  
Gentlemen,

This House hath appointed Benedict Calvert and Walter Dulany Esquires, to join the Members of your House, named by you for the Purposes in your Message of this Afternoon, by Messieurs Worthington and Wilson.

Sign'd by Order. U Scott Cl: Up: Ho:

Ordered, That M.<sup>r</sup> Hollyday, and Fourteen more, do present the Address to his Excellency.

The Governor communicated to M.<sup>r</sup> Speaker the following Message.

L. H. J.  
Liber No. 54  
Nov. 22

Gentlemen of the Lower House of Assembly,

I want Words to express my Thanks in the Form which your very obliging and Affectionate Address so amply Demands. Your generous Determination of transacting the Business which may come before you, with the Moderation I took the Liberty of recommending in my Speech at the Opening of this Session, will justly entitle you to the Esteem of your Sovereign, your Lord Proprietary, your Constituents, and your Governor.

Robert Eden.

M.<sup>r</sup> Goldsborough, from the Committee of Accounts, acquaints M.<sup>r</sup> Speaker that they had made choice of Henry Gassaway, as Clerk to the Committees. The House approved the Choice, and Ordered him to be qualified.

M.<sup>r</sup> Reverdy Ghiselin certified to the House, that he had qualified John Duckett, as Clerk to the several Committees of the House, in the usual Manner.

The Petition of the Rector, Vestrymen, and Church Wardens of Saint Pauls Parish, lying partly in Queen Anns, and partly in Talbot County; read a second Time, and granted.

Ordered, That M.<sup>r</sup> E. Tilghman, M.<sup>r</sup> Hollyday, M.<sup>r</sup> Wright, and M.<sup>r</sup> N. Thomas, do prepare and bring in a Bill according to the Prayer of said Petition.

M.<sup>r</sup> Grahame appeared in the House, and added to the Committee appointed to inspect the Accounts and Proceedings of the Commissioners, appointed by virtue of the Act for the Payment of the Public Claims, for emitting Bills of Credit, and for other Purposes therein mentioned.

The Petition of Peter Haldimand, read the second Time, and Leave given to bring in a Bill for his Naturalization, he producing a Certificate to the House, of his having received the Sacrament in some Protestant Congregation, and of his having taken the several Oaths to the Government prescribed by Law, and repeating and subscribing the Test, agreeable to the Directions of the Act of Parliament for the Naturalization of foreign Protestants in his Majesty's Plantations in America.

M.<sup>r</sup> Reverdy Ghiselin certified to the House that he had qualified Henry Gassaway, as Clerk to the several Committees of the House, in the usual Manner.

The Petition of John Scarborough, read the second Time, and granted. Leave given to bring in a Bill according to Prayer.

M.<sup>r</sup> Reverdy Ghiselin certified to the House, that he has qualified James Brooks, as a Committee Clerk in the usual Manner.

L. H. J. M.<sup>r</sup> E. Tilghman brought in, and delivered to M.<sup>r</sup> Speaker, the  
 Liber No. 54 following Report  
 Nov. 22

By the Committee of Grievances and Courts of Justice, November 22.<sup>d</sup> 1769

Your Committee, upon some Enquiry into the Facts set forth in the Petitions of the Prisoners of Charles County, against Richard Lee, Esq<sup>r</sup> Sheriff thereof, are of Opinion, that in Order to a full Information in the several Matters complained of, it will be necessary to have the Testimony of the Prisoners referred to in the Petitions; but being informed that they, or some of them, are in the Custody of the said Sheriff in Execution, your Committee are in Doubt, whether they can be brought up to give Evidence without subjecting the Sheriff to an Action or Actions of Escape; and therefore pray the Direction of your honorable House therein

Sign'd p Order. John Duckett Cl. Com

Which was read the first Time and Ordered to lie on the Table.

p. 9 Ordered, That the same be taken into Consideration To-morrow Morning.

M.<sup>r</sup> Hall appeared in the House.

The House adjourns 'til To-morrow Morning 9 o'Clock.

Nov. 23

Thursday, November 23.<sup>d</sup>

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read.

Ordered, That M.<sup>r</sup> Tyler, M.<sup>r</sup> Mackall, M.<sup>r</sup> Hooper, M.<sup>r</sup> Beall, M.<sup>r</sup> Harrison, M.<sup>r</sup> Hall, M.<sup>r</sup> Purnel, M.<sup>r</sup> Buchanan, M.<sup>r</sup> Moale, M.<sup>r</sup> Griffith, M.<sup>r</sup> Gantt, M.<sup>r</sup> Selbey, and M.<sup>r</sup> W.<sup>[m]</sup> Thomas, be a Committee to inspect into the several public Offices, and Report to the House the State and Condition of them.

The Report of the Committee of Grievances, read the second Time. The House took the same into Consideration, and after some Debate thereon, referred the further Consideration thereof 'til To-morrow Morning.

The Report of the Committee appointed to enquire what Laws will expire this Session, read the second Time,

Ordered, That the same Committee that made the Report, do also bring in Bills continuing those Laws that will expire with this Session.

On Motion, Leave given to bring in a Bill for issuing Writs of Replevin out of the County Courts. Ordered, That M.<sup>r</sup> E. Tilghman,



M.<sup>r</sup> Hollyday, M.<sup>r</sup> Grahame, M.<sup>r</sup> Wilson, and M.<sup>r</sup> Allen do prepare and bring in the same.

L. H. J.  
Liber No. 54  
Nov. 23

On Motion, Leave given to bring in a Bill to prevent the Continuance of Suits at Law on Suggestion of the want of Evidence.

Ordered, That M.<sup>r</sup> E. Tilghman, M.<sup>r</sup> M. Tilghman, M.<sup>r</sup> Hollyday, M.<sup>r</sup> Wright, M.<sup>r</sup> Hall, and M.<sup>r</sup> Hayward, do prepare and bring in the same.

On Motion, Resolved, That this House will, on Tuesday Morning next, at the Meeting of the House take into Consideration, the Expediency, and the Ways and Means of issuing Bills of Credit for the Improvement of the Province, and the Advancement of the Trade thereof.

On Motion, Leave given to bring in a Bill, entitled, a Supplementary Act to the Act for the Direction of Sheriffs in their Offices, and restraining their ill Practices within this Province.

Ordered, That M.<sup>r</sup> Ringgold, M.<sup>r</sup> E. Tilghman, M.<sup>r</sup> N. Thomas, and M.<sup>r</sup> Hollyday, do prepare, and bring in the same

The House adjourns 'til To-morrow Morning 9 o'Clock

Friday, November 24.<sup>th</sup>

Nov. 24

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Steele, and M.<sup>r</sup> Gale appeared in the House.

M.<sup>r</sup> W. Thomas has leave of absence.

The Order of the Day being read, the House resumed the Consideration of the Report from the Committee of Grievances; and after some Debate had thereon, referred the same to a further Consideration on To-morrow Morning.

George Steuart Esq from the Upper House, delivered to M.<sup>r</sup> Speaker, the Petition of the Rector, Vestrymen, Church Wardens, and other Inhabitants of Saint Lukes Parish in Queen Anns County. The Petition of the Inhabitants of Dorchester County; and the Petition of the Visitors of Frederick County Free-School, severally indorsed: "By the Upper House of Assembly November 23.<sup>d</sup> 1769: Read and referred to the Consideration of the Lower House of Assembly"

Sign'd by Order U Scott Cl: Up: Ho:."

Which Petitions were read the first Time, and Ordered to lie on the Table.

The House adjourns 'til To-morrow Morning 9 o'Clock.

L. H. J.  
Liber No. 54  
Nov. 25  
p. 10

Saturday, November 25.<sup>th</sup>

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Goldsborough brought in, and Delivered, to M.<sup>r</sup> Speaker the following Bills.

A Bill entitled, An Act continuing An Act entitled, A Supplementary Act to the Act entitled An Act for ascertaining what Damages shall be allowed upon Protested Bills of Exchange.

A Bill entitled, An Act continuing an Act entitled An Act to encrease the allowance of Jurors attending the Provincial and County Courts, and for other Purposes therein mentioned.

A Bill entitled An Act continuing an Act entitled An Act for repairing the public Roads in the Province, and the Supplementary Act thereto.

A Bill entitled An Act continuing an Act entitled, An Act for Tryal of all Matters of Fact in the several Counties where they have arisen, or shall arise.

A Bill entitled An Act continuing an Act entitled a Supplementary Act to the Act entitled An Act for ascertaining the Height of Fences to prevent the Evil occasioned by the Multitude of Horses, and restraining Horse Rangers within this Province, and to redress the great Evil accruing to this Province by the Multiplicity of useless Horses, Mares, and Colts that run in the Woods.

A Bill entitled An Act continuing an Act entitled An Act to oblige infected Ships, and other Vessels, coming into this Province, to perform Quarentine. And

A Bill entitled an Act continuing an Act entitled An Act to ease the Inhabitants of this Province, and to empower the Justices of the several Counties, to Bind out Persons therein mentioned, Apprentices.

M.<sup>r</sup> Dickinson brought in and delivered to M.<sup>r</sup> Speaker a Bill entitled An Act for the Naturalization of Peter Haldimand. All which were read the first Time and Ordered to lie on the Table.

It appearing to the House that M.<sup>r</sup> John Hanson jun.<sup>r</sup> a Member for Charles County has accepted of the Office of Deputy Surveyor of Frederick County, since the last Session of Assembly, by means whereof his Seat in this House is vacated;

Ordered, That M.<sup>r</sup> Speaker do issue his Warrant to the Secretary of this Province, requiring him to make out a new Writ of Election, directed to the Sheriff of Charles County to elect a Delegate to serve in this present General Assembly, in the room of the said M.<sup>r</sup> Hanson.

The Bill entitled An Act for the Naturalization of Peter Haldimand, read the second Time, by an especial Order, and will pass. Sent to the Upper House by M.<sup>r</sup> Dickinson, and M.<sup>r</sup> Grahame.

The Order of the Day being read, the House resumed the Consideration of the Report of the Committee of Grievances, on Wednesday last, relative to the Prisoners in Charles County Jail; and after mature Deliberation thereupon,

L. H. J.  
Liber No. 54  
Nov. 25

Resolved, That this House has Power to send for all, or any of the Prisoners in said Jail, to testify on behalf of the Petitioners, or either of them, without subjecting the Sheriff to an Action of Escape, notwithstanding they, or any of them, may be in Execution for Debt.

Ordered, That Richard Lee jun.<sup>r</sup> Esq; Sheriff of Charles County, bring before this House on Friday the first Day of December next, at Nine of the Clock in the Forenoon, William Wright, Joseph Harrison, and Ignatius Green, Prisoners in his Custody, to testify their Knowledge in the Matters complained of in the said Petitions, or one of them, and that the Serjeant at Arms, attending the House, do forthwith serve the said Sheriff with a Copy of this Order.

Ordered, That the Clerk of this House do issue Summonses for John Neale, Joiner, and William Wyatt Fentham to give Evidence on the said Petitions.

Ordered, That the Clerk of Charles County, do transmit to the Clerk of this House a Copy of the Record of the whole Proceedings against Richard Lee jun.<sup>r</sup> Esq; Sheriff of the said County, for an Assault by him Committed, on William Wright, under the Seal of the said County Court, by the first Day of December next, at Nine of the Clock in the Morning; and that the Serjeant at Arms do forthwith serve the said Clerk with a Copy of this Order.

John Ridout Esq; from the Upper House, delivered to M.<sup>r</sup> Speaker the Bill entitled An Act for the Naturalization of Peter Haldimand; indorsed: "By the Upper House of Assembly November 25.<sup>th</sup> 1769: Read the first and second Time by an especial Order, and will pass.

p. 11

Signd by Order U Scott Cl: Up: Ho:."

Which was read here and pass'd for engrossing.

The Bill entitled, An Act continuing an Act entitled An Act for Trial of all Matters of Fact in the several Counties where they have arisen or shall arise; was read the second Time by an especial Order, and the Question put, Whether the said Bill do pass? Resolved in the Affirmative.

For the Affirmative.

M.<sup>r</sup> Buchanan,  
Ringgold,  
Gresham,  
Ware,  
Harrison,  
Hayward,  
Wilson,  
T. Dashiell,

M.<sup>r</sup> Gale,  
Dickinson,  
Goldsborough,  
M. Tilghman,  
N. Thomas,  
Sulivane,  
Hooper,  
Veazy,

M.<sup>r</sup> Ward,  
E. Tilghman,  
Hollyday,  
Wright,  
Allen,  
Selby,  
Purnel.

[23]

L. H. J.  
Liber No. 54  
Nov. 25

For the Negative

M.<sup>r</sup> Worthington  
Griffith,  
Mackall,  
Grahame,

M.<sup>r</sup> Steele,  
Moale,  
Beall,  
Tyler,

M.<sup>r</sup> Hall,  
Lockett.

[10]

The Bill sent to the Upper House by M.<sup>r</sup> Goldsborough and M.<sup>r</sup> Ware.

The Bill entitled An Act continuing an Act entitled a Supplementary Act to the Act entitled, An Act for ascertaining the Height of Fences, to prevent the Evil occasioned by the Multitude of Horses, and restraining Horse Rangers within this Province, and to redress the great Evil accruing to this Province by the Multiplicity of useless Horses, Mares, and Colts that run in the Woods, read the second Time by an especial Order; and the Question put, Whether the said Bill do pass? Resolved in the Negative.

On Motion, Leave given to bring in a Bill, entitled, A Supplementary Act to the Act entitled, An Act, for ascertaining the Height of Fences, to prevent the Evil occasioned by the Multitude of Horses, and restraining Horse Rangers within this Province, and to redress the great Evil accruing to this Province by the Multiplicity of useless Horses, Mares, and Colts that run in the Woods.

Ordered, That M.<sup>r</sup> Ringgold, M.<sup>r</sup> N. Thomas, M.<sup>r</sup> Hall, and M.<sup>r</sup> Hollyday, do prepare and bring in the same

M.<sup>r</sup> Dickinson brought in, and delivered to M.<sup>r</sup> Speaker, the engross'd Bill entitled An Act for the Naturalization of Peter Haldimand; which was read and assented to.

The House taking into Consideration the Danger arising to the several Members thereof, who have not had the Small-Pox, from hearing the Petition against the return of the Sheriff of Baltimore County, upon the last Election, at the Bar of this House.

Ordered, That M.<sup>r</sup> Hayward, M.<sup>r</sup> N. Thomas, M.<sup>r</sup> Hollyday, M.<sup>r</sup> Grahame, and M.<sup>r</sup> Beall, be a Committee to enquire into the Evidence, produced thereon, and Report the same to the House.

Ordered, That M.<sup>r</sup> Steele be added to the Committee appointed to inspect into the Accounts and Proceedings of the Commissioners appointed by the Act for the Payment of the public Claims, for emitting Bills of Credit, and for other Purposes therein mentioned: And also to the Committee appointed to bring in a Bill to regulate the Variation of the Compass, in running out Land in this Province.

Daniel Dulany Esq; from the Upper House, delivered to M.<sup>r</sup> Speaker the Petitions of sundry languishing Prisoners in the several Jails of this Province

The House adjourns 'til Monday Morning 9 o'Clock.



Monday, November 27.<sup>th</sup>

L. H. J.  
Liber No. 54  
Nov. 27

The House met according to Adjournment.

The Members were called and all appeared as on Saturday, except M.<sup>r</sup> Gantt and M.<sup>r</sup> Worthington.

The Proceedings were read.

M.<sup>r</sup> Eden appeared in the House.

Walter Dulany Esq; from the Upper House, delivered to M.<sup>r</sup> Speaker, Two Petitions from the Inhabitants of Somerset County, praying for a Road; indorsed: "By the Upper House of Assembly November 27.<sup>th</sup> 1769: Read and referred to the Consideration of the Lower House of Assembly.

Sign'd by Order, U Scott Cl: Up: Ho:."

Which were read the first Time and Ordered to lie on the Table.

The House adjourns 'til To-morrow Morning 9 o'Clock.

Tuesday, November 28.<sup>th</sup>

Nov. 28

The House met according to Adjournment. The Members were called, and all appeared as on Yesterday. p. 12

The Proceedings of Yesterday were read.

Ralph Dobinson appointed a Committee Clerk.

Ordered, That he be qualified.

M.<sup>r</sup> Reverdy Ghiselin certified to the House, that he had qualified Ralph Dobinson, as a Committee Clerk, in the usual Manner.

The Order of the Day being read, the House resolved itself into a Committee of the whole House to take into Consideration the Expediency and the Ways and Means of issuing Bills of Credit, for the Improvement of the Province, and the Advancement of the Trade thereof; and after some Time spent therein, M.<sup>r</sup> Speaker resumed the Chair, and M.<sup>r</sup> E Tilghman, Chairman of the Committee, reported from the Committee that they had made some Progress in their Enquiry; but not being able to complete the same, prayed Leave of the House to sit thereon again To-morrow Morning.

Resolved, That this House will, To-morrow Morning, resolve itself into a Committee of the whole House, to Consider further of the Expediency and the Ways and Means of issuing Bills of Credit, for the Improvement of the Province, and the Advancement of the Trade thereof.

M.<sup>r</sup> Chase, and M.<sup>r</sup> Gantt, appeared in the House

The House adjourns 'til To-morrow Morning 9 o'Clock.

L. H. J.  
Liber No. 54  
Nov. 29

Wednesday, November 29.<sup>th</sup>

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday, except M.<sup>r</sup> Chase.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Bordley appeared in the House.

Ordered, That the Committee of Accounts do receive no Claims against the Public, after Monday next, and that they close the Journal of Accounts to that Day.

Ordered, That the Order of the Day, for the House to resolve itself into a Committee of the whole House, to consider further of the Expediency and the Ways and Means of issuing Bills of Credit, for the Improvement of the Province, and the Advancement of the Trade thereof, be read. And the said Order being read accordingly, the House resolved itself into the said Committee; and after some Time spent therein, M.<sup>r</sup> Speaker resumed the Chair, and M.<sup>r</sup> E Tilghman from the Committee, made the following Report

Resolved, That it is the Opinion of this Committee, that for transacting the Business and carrying on the Commerce and Trade of this Province, it is highly expedient and necessary, that a sum of money be emitted in Bills of Credit. That the sum to be emitted be 300,000 Dollars. That the sum of 300,000 Dollars be circulated by Way of Loan, upon real, and personal Security. Which was read the first and second Time and Concurred with.

Ordered, That M.<sup>r</sup> Hall, M.<sup>r</sup> Ringgold, M.<sup>r</sup> Grahame, M.<sup>r</sup> E Tilghman, M.<sup>r</sup> Hollyday, M.<sup>r</sup> M. Tilghman, M.<sup>r</sup> Hayward, M.<sup>r</sup> Chase, M.<sup>r</sup> Beall, M.<sup>r</sup> Dickinson, and M.<sup>r</sup> Allen, be a Committee to prepare and bring in a Bill agreeable to the above Resolution.

Benedict Calvert Esq; from the Upper House, delivered to M.<sup>r</sup> Speaker the Petition of Thomas Smyth, Mary Granger and William Granger; indorsed: "By the Upper House of Assembly November 29.<sup>th</sup> 1769: Read and referred to the Consideration of the Lower House of Assembly.

Sign'd by Order U Scott Cl: Up: Ho:."

Which was read the first Time and Ordered to lie on the Table.

M.<sup>r</sup> Worthington appeared in the House.

The Bill, entitled, An Act continuing an Act entitled, An Act to encrease the allowance of Jurors attending the Provincial and County Courts, and for other Purposes therein mentioned, read the second Time and will pass.

The Bill, entitled; An Act continuing an Act, entitled, A Supplementary Act to the Act, entitled, An Act for ascertaining what Damages shall be allowed upon Protested Bills of Exchange, read the second Time and will pass.

The Bill, entitled, An Act continuing an Act entitled An Act for repairing the public Roads in this Province, and the Supplementary Act thereto, read the second Time and will pass.

L. H. J.  
Liber No. 54  
Nov. 29  
p. 13

The Bill entitled, An Act continuing an Act entitled, An Act to oblige infected Ships and other Vessels coming into this Province to perform Quarentine, read the second Time and will pass.

The Bill entitled An Act continuing an Act entitled An Act to ease the Inhabitants of this Province, and to empower the Justices of the several Counties to bind out persons therein mentioned, Apprentices, read the second Time and will pass.

All which Bills were sent to the Upper House by M.<sup>r</sup> Wilson and M.<sup>r</sup> Grahame.

M.<sup>r</sup> E Tilghman brought in and delivered to M.<sup>r</sup> Speaker, a Bill entitled An Act for issuing Writs of Replevin out of the County Courts of this Province. Which was read the first and second Time by an especial Order and will pass. Sent to the Upper House by M.<sup>r</sup> E Tilghman and M.<sup>r</sup> Gantt

John Ridout Esq from the Upper House delivered to M.<sup>r</sup> Speaker, a Petition from sundry Inhabitants of Dorchester Parish, in Dorchester County, indorsed: "By the Upper House of Assembly November 29.<sup>th</sup> 1769; Read and referred to the Consideration of the Lower House of Assembly.

Sign'd by Order U Scott Cl: Up: Ho:."

Which was read the first Time and Ordered to lie on the Table.

The Petitions of the Prisoners in the several Jails of this Province, read.

M.<sup>r</sup> E Tilghman, and M.<sup>r</sup> Buchanan, have leave of Absence.

The House adjourns 'til To-morrow Morning 9 o'Clock.

Thursday, November 30.<sup>th</sup>

Nov. 30

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday, except M.<sup>r</sup> Buchanan, and M.<sup>r</sup> Worthington.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Beall brought in, and delivered to M.<sup>r</sup> Speaker, the following Report

By the Committee appointed to enquire into the Evidence produced against the Return of the Sheriff of Baltimore County, upon the last Election, and Report the same to the House.

Your Committee, in Obedience to the Order of the House, proceeded to examine into the Evidence offered to them relative to the Facts charged in the Petition of Thomas Cockey Deye, and others,

L. H. J.  
Liber No. 54  
Nov. 30

and took the Depositions of John Paca, William Hammond, Samuel Chase, Edward Burgess, John Henry, Alexander M<sup>c</sup>Comas, William Harvey jun,<sup>r</sup> John Tolley Young, and John Murray, the only Witnesses produced on the part of the Petitioners; and of James Hammond, and Edward Bond, the only Witnesses produced on the part of the Sheriff; all which Depositions, together with a Certificate of the Clerk of Baltimore County Court, under the Seal of his Office, of the Time of holding the Court for appointing the Day of Election, and a printed Paper purporting to be an Advertisement of Daniel Chamier, Sheriff of Baltimore County, of the Time appointed for the Election, being all the Evidence which was produced to your Committee, are hereunto annexed, and humbly submitted to the Consideration of the Honorable House

Sign'd p Order Ralph Dobinson Cl. Com

Which was read and Concurred with.

The Petition of sundry Inhabitants of Baltimore County complaining of an undue Election for said County, being read a second Time, the House proceeded to the Consideration thereof, and of the Evidence stated, by the Committee appointed to report the same; and it appearing to the House, that Notice had been given by the Sheriff, by Proclamation, on the Twenty fifth Day of June, of an Election to be held on the fifth Day of July then next:

Resolved, That the said Notice is not such as is required by Law. Also it appearing to the House, That the Polls were Closed at the said Election, on the sixth Day of July in the Afternoon, although the same was objected to by one of the Candidates, when the Sheriff had good reason to believe that a Number of Persons were on their  
p. 14 Way, and that many others might be expected the next Day, to vote at the said Election, the People were prevented from having a full and free Election.

Resolved, Nemine Contradicente, That the said Election is void.

Resolved further, That in all Elections, it is the Opinion of this House, that a Time of Notice, not less than Ten Days be given, exclusive of the Day of Proclamation and the Day of Election.

Ordered, That M.<sup>r</sup> Speaker do acquaint M.<sup>r</sup> Moale, that he is dismissed from any further Attendance in this House.

Ordered, That M.<sup>r</sup> Speaker do issue his Warrant to the Secretary of this Province, requiring him to make out a Writ of Election, directed to the Sheriff of Baltimore County, requiring him to elect four Delegates to serve in this present Session of Assembly, in the room of those lately returned for that County, whose Election is, by this House, declared void.

Ordered, That Daniel Chamier, Sheriff of Baltimore County, be forthwith brought before this House, in Custody of the Serjeant at



Arms, to answer for his Conduct in the Proceedings relative to the said Election.

L. H. J.  
Liber No. 54  
Nov. 30

The Petition of Thomas Smyth, Mary Granger, and William Granger, read the second Time. M.<sup>r</sup> Hollyday, M.<sup>r</sup> Ringgold, and M.<sup>r</sup> Bordley, appointed a Committee to enquire into the Facts contained in said Petition, and report the same to the House.

George Steuart Esq from the Upper House, delivered to M.<sup>r</sup> Speaker, the Petitions of sundry Prisoners in the Jails of Dorchester, Talbot, Frederick, and Ann Arundel Counties: Which were read.

Daniel Dulany Esq from the Upper House delivered to M.<sup>r</sup> Speaker the following Bills.

A Bill entitled An Act continuing an Act entitled An Act for repairing the public Roads in this Province, and the Supplementary Act thereto.

An Act continuing an Act entitled An Act to ease the Inhabitants of this Province, and to empower the Justices of the several Counties to bind out Persons therein mentioned, Apprentices.

A Bill entitled, An Act continuing an Act entitled, An Act to oblige infected Ships and other Vessels coming into this Province to perform Quarentine.

A Bill entitled An Act continuing an Act entitled An Act to encrease the allowance of Jurors attending the Provincial and County Courts, and for other Purposes therein mentioned.

And a Bill entitled An Act continuing an Act entitled, A Supplementary Act to the Act entitled An Act for ascertaining what Damages shall be allowed upon Protested Bills of Exchange: Severally indorsed: "By the Upper House of Assembly November 29.<sup>th</sup> 1769; Read the first Time and ordered to lie on the Table.

Sign'd by Order U Scott Cl: Up: Ho:."

And thus "By the Upper House of Assembly November 30.<sup>th</sup> 1769; Read the second Time and will pass.

Sign'd by Order U Scott Cl: Up: Ho:."

All which Bills were read here, and pass'd for engrossing.

The House adjourns 'til To-morrow Morning 9 o'Clock.

Friday, December 1.<sup>st</sup>

Dec. 1

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday, except M.<sup>r</sup> E. Tilghman.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Hayward, M.<sup>r</sup> Wright, and M.<sup>r</sup> T. Dashiell, have Leave of Absence.

L. H. J.  
Liber No. 54  
Dec. 1

M.<sup>r</sup> Worthington appeared in the House.

Ordered, That M.<sup>r</sup> Wilson, and M.<sup>r</sup> Beall, and M.<sup>r</sup> Hooper, do prepare and bring in a Bill for the Relief of the several Prisoners whose Petitions are granted.

p. 15 On Motion, Resolved, That no new Business be moved for after Monday next.

M.<sup>r</sup> Ringgold brought in, and delivered to M.<sup>r</sup> Speaker, the following Report

By the Committee appointed to state the Facts set forth in the Petition of Thomas Smyth, Mary Granger, and William Granger, and to report the same to the House.

Your Committee, in Obedience to the Order of the House, proceeded to enquire into the Facts stated in the Petition of Thomas Smyth, Mary Granger, and William Granger, and do find from the information of M.<sup>r</sup> Thomas Ringgold, one of the Committee, that William Granger, the Petitioner, is seised in Fee of the Lot N.<sup>o</sup> 16 mentioned in the Petition, and that the said Lot is such as described in the said Petition: They further find from the Information of the said Thomas Ringgold, and of M.<sup>r</sup> Stephen Bordley, one of the Committee, that the sum of one hundred Pounds Current Money, does considerably exceed the Price at which the Lots in the Town of Chester, containing nearly one Acre have usually been sold: They further find, that the Petitioner William Granger is under the Age of Twenty-one Years, to wit, of the Age of Twenty Years and upwards, and that the Petitioner, Mary, is the Mother and only surviving Parent of the said William, and that the said Petitioner, Thomas Smyth, hath lately erected on the said Lot, such a House as is described in the Petition. All which is humbly submitted to the Consideration of your Honorable House.

Signed by Order Ralph Dobinson Cl: Com

Walter Dulany Esq from the Upper House delivered to M.<sup>r</sup> Speaker the Petition of sundry the Freeholders of Baltimore County, and the Petition of John Clayton, severally indorsed: "By the Upper House of Assembly Dec.<sup>r</sup> 1.<sup>st</sup> 1769 Read and referred to the Consideration of the Lower House of Assembly.

Sign'd by Order U Scott Cl: Up: Ho:."

Which Petitions were read the first Time and Ordered to lie on the Table.

Also the Petition of Michael Hanchliff, a languishing Prisoner in Anne Arundel County Gaol, Which was read and granted.

The House adjourns till To-morrow Morning 9 o'Clock

Saturday, Dec.<sup>r</sup> 2.<sup>d</sup>

L. H. J.  
Liber No. 54  
Dec. 2

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday except M.<sup>r</sup> Wright.

The Proceedings of Yesterday were read.

On Motion, Leave given to bring in a Bill to Repeal an Act of Assembly of this Province, entitled, An Act to encourage the destroying of Wolves, Crows, and Squirrels.

Ordered, That M.<sup>r</sup> Grahame, M.<sup>r</sup> Wilson, and M.<sup>r</sup> Selbey do prepare and bring in the same.

M.<sup>r</sup> M. Tilghman has leave of Absence

M.<sup>r</sup> N. Thomas brought in, and delivered to M.<sup>r</sup> Speaker, the following engrossed Bills.

A Bill, entitled, An Act continuing an Act entitled, An Act for repairing the public Roads in this Province, and the supplementary Act thereto. p. 16

A Bill, entitled An Act continuing an Act, entitled, An Act to ease the Inhabitants of this Province, and to empower the Justices of the several Counties to bind out Persons therein mentioned, Apprentices.

A Bill, entitled An Act continuing an Act entitled, An Act to oblige infected Ships, and other Vessels coming into this Province, to perform Quarentine.

A Bill entitled An Act continuing an Act entitled An Act to encrease the Allowance of Jurors attending the Provincial and County courts, and for other Purposes therein mentioned.—And

A Bill, entitled, An Act continuing an Act entitled, A Supplementary Act to the Act entitled, An Act for ascertaining what Damages shall be allowed upon Protested Bills of Exchange

All which Bills were read and assented to, and, with the Paper Bills thereof, sent to the Upper House by M.<sup>r</sup> Goldsborough, and M.<sup>r</sup> Beall. Also the engrossed Bill entitled An Act for the Naturalization of Peter Haldimand, together with the Paper Bill thereof; sent to the Upper House by the same Gentlemen.

M.<sup>r</sup> E Tilghman, M.<sup>r</sup> Johnson, and M.<sup>r</sup> Chase appeared in the House

On a Question that Leave be given to bring in a Bill entitled An Act to continue the Act entitled An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, and the Supplementary Act thereto. The Question was put, Whether that Question be now put? Resolved that the Question be now put.

L. H. J. Liber No. 54 Dec. 2	For putting the Question.		
M. <sup>r</sup> Gantt,	M. <sup>r</sup> Hooper,	M. <sup>r</sup> Purnell,	
Grahame,	Steele,	Wilson,	
Hayward,	Hall,	T. Dashiel,	
Gale,	E. Tilghman,	M. Tilghman,	
Dickinson,	Hollyday,	N. Thomas,	
Goldsborough,	Allen,	Veazy,	
Sulivane,	Selbey,	Ward.	[21]

Against putting the Question.			
M. <sup>r</sup> Eden,	M. <sup>r</sup> Johnson,	M. <sup>r</sup> Beall,	
Ringgold,	Griffith,	Tyler,	
Bordley,	Chase,	Luckett.	
Gresham,	Ware,		[13]
Worthington,	Harrison,		

The Question was put, that Leave be given to bring in the Bill. Resolved in the Affirmative.

Ordered, That the Committee appointed to bring in the other continuing Bills, do also prepare and bring in the last mentioned Bill.

On Motion, Leave given to bring in a Bill to continue an Act, entitled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Ann Catharine Green of the City of Annapolis, Printer.

Ordered, That the said Committee do also prepare and bring in the Bill last mentioned.

p. 17 Ordered, That M.<sup>r</sup> Johnson be added to the Committee appointed to bring in a Bill for emitting Bills of Credit, and for other Purposes therein mentioned.

John Ridout Esq, from the Upper House delivered to M.<sup>r</sup> Speaker the Paper Bills that were sent to the Upper House, with the engross'd Bills delivered by M.<sup>r</sup> Goldsborough and M.<sup>r</sup> Beall: Which Paper Bills were thus severally indorsed: "By the Upper House of Assembly Dec.<sup>r</sup> 2.<sup>d</sup> 1769. The engross'd Bill whereof this is the Copy, read and assented to.

Sign'd by Order U Scott Cl: Up: Ho:."

George Steuart Esq from the Upper House, delivered to M.<sup>r</sup> Speaker the Petition of William Thomas of Ann Arundel County: Which was read the first Time and Ordered to lie on the Table.

M.<sup>r</sup> Gantt has Leave of Absence

On Motion, Leave given to bring in a Bill for appropriating a Sum out of the Bills of Credit, now in the Office, to the Use therein mentioned.



Ordered, That M.<sup>r</sup> Gresham, M.<sup>r</sup> Hall, M.<sup>r</sup> Hollyday, M.<sup>r</sup> M. Tilghman, and M.<sup>r</sup> Ringgold do prepare and bring in the same.

L. H. J.  
Liber No. 54  
Dec. 2

On Motion, Leave given to bring in a Bill for the Support of an Agent in London.

Ordered, That M.<sup>r</sup> E. Tilghman, M.<sup>r</sup> Hall, and M.<sup>r</sup> Chase, do prepare and bring in the same.

On Motion, Leave given to bring in a Bill for appointing Places for holding the next Election of Delegates for Baltimore County.

Ordered, That M.<sup>r</sup> Hollyday, M.<sup>r</sup> Ringgold, M.<sup>r</sup> Hall, and M.<sup>r</sup> Allen, do prepare and bring in the same.

The Report of the Committee appointed to state the Facts set forth in the Petition of Thomas Smyth, Mary Granger, and William Granger, read the second Time, and concurred with. Leave given to bring in a Bill according to Prayer.

The Petition of the Inhabitants of Dorchester County, read a second Time, and rejected for want of that Notice being given which is required by a Resolve of this House

M.<sup>r</sup> Grahame brought in, and delivered to M.<sup>r</sup> Speaker a Bill entitled, An Act to Repeal an Act, entitled, An Act to encourage the destroying of Wolves, Crows, and Squirrels: Which was read the first Time, and ordered to lie on the Table.

M.<sup>r</sup> Goldsborough brought in, and delivered to M.<sup>r</sup> Speaker, a Bill entitled, An Act continuing an Act entitled An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, and the Supplementary Act thereto: Which was read the first Time and ordered to lie on the Table.

On Motion, Leave given to bring in a Bill to Repeal part of an Act, entitled, An Act providing what shall be good Evidence to prove foreign and other Debts, and to prevent vexatious and unnecessary Suits at Law, pleading Discounts in Bar, and for Repealing an Act of Assembly therein mentioned; and also, a Bill to repeal Part of an Act, entitled, An Act for the advancement of Justice. Ordered, That M.<sup>r</sup> Chase and M.<sup>r</sup> Johnson, do prepare and bring in the same.

The House adjourns 'til Monday Morning 9 o'Clock

Monday, December 4.<sup>th</sup>

Dec. 4

The House met according to Adjournment.

p. 18

The Members were called and appeared as on Saturday, except M.<sup>r</sup> E. Tilghman, M.<sup>r</sup> M. Tilghman, M.<sup>r</sup> Chase, M.<sup>r</sup> Worthington, M.<sup>r</sup> Gantt, M.<sup>r</sup> Hayward, and M.<sup>r</sup> T. Dashiell.

M.<sup>r</sup> Paca, and M.<sup>r</sup> Baxter, appeared in the House.

L. H. J.  
Liber No. 54  
Dec. 4

The Proceedings of Saturday were read.

William Fitzhugh Esq from the Upper House, delivered to M.<sup>r</sup> Speaker, the Petition of sundry of the Freeholders and other Inhabitants of Christ Church Parish, in Calvert County.

Walter Dulany Esq from the Upper House, delivered to M.<sup>r</sup> Speaker, the Petition of Mary Hindman of Talbot County: Which Petitions were thus severally indorsed: "By the Upper House of Assembly, Dec.<sup>r</sup> 4.<sup>th</sup> 1769: Read and referred to the Consideration of the Lower House of Assembly

Sign'd by Order U Scott Cl: Up: Ho:."

The Petitions were read here the first Time, and ordered to lie on the Table.

M.<sup>r</sup> Ringgold brought in, and delivered to M.<sup>r</sup> Speaker, a Bill, entitled, A Supplementary Act to the Act, entitled, An Act for the Direction of Sheriffs in their Offices, and restraining their ill Practices within this Province: Which was read the first Time, and Ordered to lie on the Table.

On Motion, Leave given to bring in a Bill, entitled, An Additional Supplementary Act to the Act, entitled, An Act for the Establishment of Religious Worship in this Province, according to the Church of England, and for the Maintenance of Ministers.

Ordered, That M.<sup>r</sup> Johnson, M.<sup>r</sup> Paca, M.<sup>r</sup> Allen and M.<sup>r</sup> Hall do prepare and bring in the same.

On Motion, Leave given to bring in a Bill entitled An Act to lay a further Duty on Negroes imported into this Province. Ordered, That M.<sup>r</sup> Johnson, M.<sup>r</sup> Hollyday, M.<sup>r</sup> Paca, and M.<sup>r</sup> Ringgold, do prepare and bring in the same.

On Motion, Leave given to bring in a Bill, entitled, A Supplementary Act to the Act, entitled, An Act to prevent the Abuses of concealing Convicted Felons; and other Offenders imported into this Province, and for the better Discovery of them.

Ordered, That M.<sup>r</sup> Hollyday, M.<sup>r</sup> Johnson, and M.<sup>r</sup> Hall, do prepare and bring in the same.

M.<sup>r</sup> Ringgold brought in, and delivered to M.<sup>r</sup> Speaker, a Bill, entitled, An Act for appointing Places for holding the next Election of Delegates for Baltimore County: Which was read the first and second Time, by an especial Order, and will pass. Sent to the Upper House by M.<sup>r</sup> Paca, and M.<sup>r</sup> Baxter.

The Petition of the Visitors of Frederick County Free School, read a second Time and granted.

Ordered, That M.<sup>r</sup> Lockett, M.<sup>r</sup> Johnson, and M.<sup>r</sup> Allen, do prepare and bring in a Bill, according to Prayer.

The Bill, entitled, An Act continuing an Act, entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his

Majesty's Customs, and for the Limitation of Officers Fees, and the Supplementary Act thereto, read the second Time, and the Question put, Whether the Continuance thereof, be 'til the fifth Day of October, which shall be in the Year Seventeen hundred and seventy? Resolved in the Affirmative

L. H. J.  
Liber No. 54  
Dec. 4

And it being proposed that the Question be put, that the said Bill be now put to its Passage. The previous Question was put whether that Question be now put? Resolved in the Affirmative.

p. 19

For the Affirmative.

M. <sup>r</sup> Grahame,	M. <sup>r</sup> Sulivane,	M. <sup>r</sup> Hall,	
Wilson,	Hooper,	Paca,	
Gale,	Steele,	Hollyday,	
Dickinson,	Veazy,	Allen,	
Goldsborough,	Ward,	Selbey,	
N. Thomas,	Baxter,	Purnel.	[18]

For the Negative

M. <sup>r</sup> Eden,	M. <sup>r</sup> Johnson,	M. <sup>r</sup> Beall,	
Ringgold,	Griffith,	Tyler,	
Bordley,	Ware,	Luckett.	
Gresham,	Harrison,		[11]

The Question was then put that the said Bill do pass? Resolved in the Affirmative.

For the Affirmative

M. <sup>r</sup> Eden,	M. <sup>r</sup> N. Thomas,	M. <sup>r</sup> Hall,	
Bordley,	Sulivane,	Paca,	
Grahame,	Hooper,	Hollyday,	
Wilson,	Steele,	Allen,	
Gale,	Veazy,	Selbey,	
Dickinson,	Ward,	Purnel.	
Goldsborough,	Baxter,		[20]

For the Negative

M. <sup>r</sup> Ringgold,	M. <sup>r</sup> Griffith,	M. <sup>r</sup> Beall,	
Gresham,	Ware,	Tyler,	
Johnson,	Harrison,	Luckett.	[9]

A Representation of John Sample, relative to the Navigation on the River Patowmack, was read in the House the first Time, and ordered to lie on the Table.

The House Adjourns 'til To-morrow Morning 9 o'Clock

L. H. J.  
Liber No. 54  
Dec. 5

Tuesday, December 5.<sup>th</sup>

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Chase and M.<sup>r</sup> Worthington appeared in the House.

The Petition of the Rector, Vestrymen, Church Wardens, and other Inhabitants of S.<sup>t</sup> Lukes Parish in Queen Ann's County, read a second Time, and granted.

Ordered, That M.<sup>r</sup> Hollyday, M.<sup>r</sup> E. Tilghman, and M.<sup>r</sup> Wright do prepare and bring in a Bill, according to prayer.

The Petition of Mary Hindman, read a second Time, and granted.

Leave given to bring in a Bill. Ordered that M.<sup>r</sup> Dickinson, M.<sup>r</sup> Goldsborough, and M.<sup>r</sup> N. Thomas, do prepare, and bring in, the same.

M.<sup>r</sup> Gresham brought in and delivered to M.<sup>r</sup> Speaker, a Bill entitled, An Act for applying a Sum of Money in Bills of Credit, to the Use therein mentioned: Which was read the first Time and Ordered to lie on the Table.

M.<sup>r</sup> W. Thomas appeared in the House.

On reading the second Time, the Representation of John Sample, Ordered, That a Bill be brought in for aiding the Navigation on the River Patowmack; and that M.<sup>r</sup> Johnson, M.<sup>r</sup> Hall, and M.<sup>r</sup> Ringgold, do prepare and bring in the same.

M.<sup>r</sup> Purnel, and M.<sup>r</sup> Wilson have Leave of Absence.

p. 20 M.<sup>r</sup> Harrison added to the Committee of Grievances, and Courts of Justice.

The Bill entitled An Act continuing an Act, entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs &c sent to the Upper House by M.<sup>r</sup> Grahame, and M.<sup>r</sup> Hollyday

M.<sup>r</sup> N. Thomas brought in and delivered to M.<sup>r</sup> Speaker a Bill entitled An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Ann Catharine Green of the City of Annapolis, Printer.

M.<sup>r</sup> Ringgold brought in, and delivered to M.<sup>r</sup> Speaker, a Bill entitled An Act to secure to Thomas Smyth, the Right in a Lot of Land in Chester Town: Which Bills were read the first Time, and Ordered to lie on the Table.

The House adjourns 'til To morrow Morning 9 o'Clock.



Wednesday, December 6.<sup>th</sup>

L. H. J.  
Liber No. 54  
Dec. 6

The House met according to Adjournment.

The Members were called, and all appeared as on Yesterday.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Allen delivered to M.<sup>r</sup> Speaker, an Account of the Proceedings and Expenses of the Commissioners, under the Act entitled, An Act for granting to the Nanticoke Indians, a Compensation for the Lands therein mentioned; whereby it appears that the Land in the said Act by them directed to be sold, was accordingly, on the 11.<sup>th</sup> Day of October 1768 sold to sundry Persons for the Sum of Eleven Hundred and Fifty-Two Pounds seven Shillings and Nine pence. The Deeds for the said Lands were by them executed to the several Purchasers, on the 17.<sup>th</sup> Day of November following; and that the Bonds, and Specie, by them received, to the Amount of the Purchase Money, were, on the 5.<sup>th</sup> Day of April last past by them delivered to Bedding-field Hands, Esq; late Treasurer of the Eastern Shore, whose Receipt for the same is annexed to the said Account

It appears by the same Account, that their several Ex-	} £18.19. 7
pences amount to . . . . .	
And their Commission on the whole . . . . .	57.12. 4½

Their whole Charge, in Dollars at 7/6, being . . . . . £76.11.11½

The above Account approved of. Ordered, That the Committee of the Paper Money Office do pay the above Sum of £76.11.11½ to the said Commissioners.

M.<sup>r</sup> E. Tilghman, and M.<sup>r</sup> M. Tilghman appeared in the House.

M.<sup>r</sup> Ringgold brought in and delivered to M.<sup>r</sup> Speaker, a Bill, entitled, An Act for emitting Bills of Credit, and other Purposes therein mentioned. Which was read the first Time, and Ordered to lie on the Table.

M.<sup>r</sup> Wright appeared in the House.

M.<sup>r</sup> Wilson brought in and delivered to M.<sup>r</sup> Speaker a Bill entitled An Act for the Relief of certain languishing Prisoners in the several Jails therein mentioned: Which was read the first Time, and ordered to lie on the Table.

The Bill entitled An Act to repeal an Act entitled An Act to encourage the destroying of Wolves, Crows, and Squirrels, read the second Time and will not pass. p. 21

M.<sup>r</sup> Gale has Leave of Absence

The Bill entitled, A Supplementary Act to the Act entitled An Act for the Direction of Sheriffs in their Offices, and restraining their ill Practices within this Province, read the second Time and committed.

L. H. J.  
Liber No. 54  
Dec. 6

The Petition of the Rector, Vestrymen, Church Wardens, and the Parishioners of Prince Georges Parish, in Frederick and Prince Georges Counties, read the second Time, and not received for want of due Notice agreeable to the Resolve of this House

Daniel Dulany Esq from the Upper House delivered to M.<sup>r</sup> Speaker, the Bill entitled An Act continuing an Act entitled An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; indorsed: "By the Upper House of Assembly Dec.<sup>r</sup> 5<sup>th</sup> 1769: Read the first Time and ordered to lie on the Table:

Sign'd by Order. U Scott Cl: Up: Ho:."

"By the Upper House of Assembly Dec.<sup>r</sup> 6<sup>th</sup> 1769: Read the second Time and will pass.

Sign'd by Order. U Scott Cl: Up: Ho:."

Which was read and passed for engrossing.

Also the Bill entitled An Act for issuing Writs of Replevin out of the County Courts of this Province, indorsed "By the Upper House of Assembly, Nov.<sup>r</sup> 29<sup>th</sup> 1769: Read the first Time and Ordered to lie on the Table.

Sign'd by Order U Scott Cl: Up: Ho:."

"By the Upper House of Assembly Dec.<sup>r</sup> 6<sup>th</sup> 1769: Read the second Time and will pass with the following Amendments viz"

After the last Proviso, add as follows: "And provided also, that any Person or Persons, who shall obtain any Writ of Replevin, from or out of any County Court in Pursuance of this Act, shall stand charged with or be liable to the Payment of such Fee to the Chancellor or Keeper of the Great Seal thereon, as hath been due to him before the passing of this Act, upon the issuing of any Writ of Replevin out of the Court of Chancery of this Province. This Act to continue and be in Force until the Twenty fifth Day of December which shall be in the Year Seventeen Hundred and Seventy two, and no longer."

Sign'd by Order U Scott Cl: Up: Ho:

Which Bill, with the amendments, was read and ordered to lie on the Table.

The Petition of the Rector, Vestrymen, Church Wardens, and other Inhabitants of Christ Church Parish, in Calvert County, read the second Time and granted.

Ordered, That M.<sup>r</sup> Grahame, M.<sup>r</sup> Mackall, and M.<sup>r</sup> Gantt, do prepare and bring in a Bill according to prayer

M.<sup>r</sup> Goldsborough brought in, and delivered to M.<sup>r</sup> Speaker, a Bill entitled An Act continuing an Act entitled An Act for destroying of Crows and Squirrels in particular Counties, and of Red Foxes in

Kent and Queen Ann's Counties: Which was read the first Time, and ordered to lie on the Table

L. H. J.  
Liber No. 54  
Dec. 6

The Petition of John Clayton, read the second Time and referred to the Consideration of the next Session of Assembly.

The Remonstrance of the Justices of Ann Arundel County, read the second Time, and postponed for further Consideration.

p. 22

On Motion, Leave given to bring in an Additional Supplementary Act to the Act entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees.

Ordered, That M.<sup>r</sup> Hall, M.<sup>r</sup> Allen, M.<sup>r</sup> Hollyday and M.<sup>r</sup> Sulivane do prepare and bring in the same.

M.<sup>r</sup> Ringgold brought in and delivered to M.<sup>r</sup> Speaker, the engross'd Bill, entitled, An Act for amending the Staple of Tobacco &c.<sup>a</sup> Which was read and assented to.

M.<sup>r</sup> Buchanan appeared in the House.

M.<sup>r</sup> Chase brought in and delivered to M.<sup>r</sup> Speaker, a Bill, entitled, An Act to repeal Part of an Act, entitled, An Act providing what shall be good Evidence to prove foreign and other Debts, and to prevent vexatious and unnecessary Suits at Law, pleading discounts in Bar, and for repealing an Act of Assembly therein mentioned. Also, a Bill, entitled, An Act to repeal Part of an Act entitled, An Act for the Advancement of Justice: Which Bills were read the first Time and ordered to lie on the Table.

The House adjourns 'til To-morrow Morning 9 1/2 o'Clock.

Thursday, Dec.<sup>r</sup> 7.<sup>th</sup>

Dec. 7

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday, except M.<sup>r</sup> Gale, M.<sup>r</sup> Wilson, and M.<sup>r</sup> Purnel.

The Proceedings of Yesterday were read.

On Motion, Resolved, That this House will, To-morrow Morning take into Consideration the Amendments proposed by the Upper House to the Bill entitled An Act for issuing Writs of Replevin out of the County Courts of this Province.

M.<sup>r</sup> E Tilghman from the Committee of Grievances, brought in, and delivered to M.<sup>r</sup> Speaker, the following Report

By the Committee of Grievances, and Courts of Justice,

December 7<sup>th</sup> 1769

Your Committee beg Leave to inform your Honorable House, that they have examined William Wyatt Fentham, who was summoned as a Witness on the Petitions of the Prisoners in Charles County Jail, complaining against the Sheriff of that County, and

L. H. J. have taken his Deposition which is hereunto annexed. That it ap-  
 Liber No. 54  
 Dec. 7 pears to your Committee by the Information of Captain Francis  
 Ware, one of your Committee, that the Room of the private Jail,  
 in which Richard Lee Junior, Sheriff of Charles County, detains his  
 Prisoners for Debt, is about fifteen or sixteen Feet square, and had  
 not any Fire Place therein when he saw it in September last.

All which is humbly submitted to the Consideration of your Hon-  
 orable House

Sign'd p Order. Ralph Dobinson Cl. Com

Which was read the first and second Time.

p. 23 Ordered, That the Serjeant at Arms, attending this House, do  
 forthwith take into his Custody the Body of Richard Lee, jun.<sup>r</sup>  
 Sheriff of Charles County, and have him at the Bar of this House,  
 to answer for his Contempt in not obeying the former Order of this  
 House, Dated the 25<sup>th</sup> Day of November 1769. And also to answer  
 at the Bar of this House, to the Petitions of John Doncastle and  
 William Wright, against him, complaining of Misconduct towards  
 them as Prisoners in his Jail.

The House adjourns 'til To-morrow Morning 9 o'Clock.

Dec. 8

Friday, December 8.<sup>th</sup>

The House met according to Adjournment.

The Members were called, and all appeared as on Yesterday, except  
 M.<sup>r</sup> Beall.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Goldsborough brought in, and delivered to M.<sup>r</sup> Speaker, the  
 Journal of Accounts.

The Order of the Day being read, the House proceeded to the  
 Consideration of the Amendments proposed, by the Upper House, to  
 the Bill, entitled, An Act for issuing Writs of Replevin out of the  
 County Courts of this Province: And the Question was put, that  
 this House do agree to the First Amendment? Resolved in the  
 Negative.

For the Negative.

M. <sup>r</sup> Eden,	M. <sup>r</sup> Ware,	M. <sup>r</sup> Ward,
W. Thomas,	Harrison,	Tyler,
Ringgold,	Dickinson,	Hall,
Chase,	Goldsborough,	Paca,
Worthington,	M Tilghman,	E Tilghman,
Griffith,	N. Thomas,	Allen,
Johnson,	Sulivane,	Selbey,
Mackall,	Hooper,	Luckett.
Grahame,	Steele,	

[26]



For the Affirmative.

M.<sup>r</sup> Buchanan,  
Bordley,  
Gresham,

M.<sup>r</sup> Veazy,  
Baxter,  
Hollyday,

M.<sup>r</sup> Wright.

[7]

L. H. J.  
Liber No. 54  
Dec. 8

The Question was then put, that this House do agree to the second Amendment proposed? Resolved unanimously in the Negative.

Ordered, That M.<sup>r</sup> Johnson, M.<sup>r</sup> Chase, M.<sup>r</sup> E. Tilghman, M.<sup>r</sup> M Tilghman, M.<sup>r</sup> Hall, and M.<sup>r</sup> Ringgold be a Committee to prepare and bring in a Message to the Upper House upon the Subject-Matter of the proposed Amendments.

M.<sup>r</sup> N. Thomas brought in, and delivered to M.<sup>r</sup> Speaker, a Bill, entitled, An Act for the Relief of Mary Hindman, of Talbot County: Which was read the first Time, and ordered to lie on the Table.

The Bill, entitled, An Act for applying a Sum of Money in Bills of Credit, to the Use therein mentioned; was read the second Time, and will pass. Sent to the Upper House by M.<sup>r</sup> Gresham and M.<sup>r</sup> Eden

The Bill entitled, An Act to secure to Thomas Smyth, the Right in a Lot of Land in Chester Town; was read the second Time and will pass. Sent to the Upper House by M.<sup>r</sup> Ringgold, and M.<sup>r</sup> Buchanan.

M.<sup>r</sup> Goldsborough has Leave of Absence.

The House adjourns 'til To-morrow Morning 9 o'Clock.

Saturday, December 9.<sup>th</sup>

Dec. 9

The House met according to Adjournment.

p. 24

The Members were called and all appeared as on Yesterday, except M.<sup>r</sup> Goldsborough.

The Proceedings were read.

M.<sup>r</sup> Hollyday brought in, and delivered to M.<sup>r</sup> Speaker, a Bill, entitled, An Act to enable the Justices of Queen Anns County Court, for the Time being, to levy on the Taxable Inhabitants of Saint Lukes Parish, in the said County, a Quantity of Tobacco for building a Chapel in the said Parish: Which was read the first Time and ordered to lie on the Table.

John Ridout Esq from the Upper House delivered to M.<sup>r</sup> Speaker, a Bill entitled, An Act for applying a sum of Money in Bills of Credit to the Use therein mentioned; indorsed: "By the Upper House of Assembly Dec.<sup>r</sup> 8.<sup>th</sup> 1769: Read the First, and Second Time by an especial Order and will pass.

Sign'd by Order U Scott Cl: Up: Ho:."

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Which was read here, and passed for engrossing.

The Journal of Accounts read.

John Ridout Esq from the Upper House, delivered to M.<sup>r</sup> Speaker, the Bill, entitled, An Act to secure to Thomas Smyth the Right in a Lot of Land in Chester Town; indorsed: "By the Upper House of Assembly Dec.<sup>r</sup> 8.<sup>th</sup> 1769: Read the First Time and ordered to lie on the Table.

Sign'd by Order U Scott Cl: Up: Ho:."

"By the Upper House of Assembly Dec.<sup>r</sup> 9.<sup>th</sup> 1769: Read the Second Time and will pass with the following Amendment, viz. After the Word live, in the 6.<sup>th</sup> Line from the Bottom of the last Page, insert the following Words, viz. The said Interest to be reckoned or computed from the First Day of May last past.

Sign'd by Order U Scott Cl: Up: Ho:."

M.<sup>r</sup> Mackall brought in, and delivered to M.<sup>r</sup> Speaker, a Bill, entitled, An Act for the building of a Parish Church in Christ's Church Parish, in Calvert County: Which was read the First Time and ordered to lie on the Table.

The House adjourns 'til Monday Morning 9 o'Clock.

Dec. 11

Monday, December 11.<sup>th</sup>

The House met according to Adjournment.

The Members were called and all appeared as on Saturday except M.<sup>r</sup> Worthington.

The Proceedings of Saturday were read.

The House adjourns 'til To-morrow Morning 9 o'Clock

Dec. 12

Tuesday, December 12.<sup>th</sup>

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Hayward and M.<sup>r</sup> Wolstenholme appeared in the House.

The Question was put, that the Clause appropriating the Council House, and Conference Chamber to the Use of Ann Arundel County, and the City of Annapolis, be inserted in the Bill for emitting Bills of Credit, and other Purposes therein mentioned? Resolved in the Affirmative.

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For the Affirmative.

M.<sup>r</sup> Eden,  
W. Thomas,  
Wolstenholme,

M.<sup>r</sup> Griffith,  
Sulivane,  
Grahame,

M.<sup>r</sup> Hollyday,  
Wright,  
Hall,

M. <sup>r</sup> Ringgold, Mackall, Bordley, Chase, Johnson,	M. <sup>r</sup> Ware, Hayward, Dickinson, Veazy, Baxter,	M. <sup>r</sup> Paca, Allen, Lockett.	L. H. J. Liber No. 54 Dec. 12
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For the Negative

M. <sup>r</sup> Buchanan, Gresham, M Tilghman, N. Thomas,	M. <sup>r</sup> Hooper, Steele, Ward, Tyler,	M. <sup>r</sup> E. Tilghman Selbey.
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[10]

Walter Dulany Esq from the Upper House delivered to M.<sup>r</sup> Speaker, the Bill, entitled, An Act for appointing Places for holding the next Election of Delegates for Baltimore County; indorsed: "By the Upper House of Assembly, Dec.<sup>r</sup> 4.<sup>th</sup> 1769: Read the First Time, and ordered to lie on the Table.

Sign'd by Order U Scott Cl: Up: Ho:."

"By the Upper House of Assembly Dec.<sup>r</sup> 11.<sup>th</sup> 1769: Read the second Time and will pass with the following Amendments, viz. At the Beginning of the 5.<sup>th</sup> and End of the 6.<sup>th</sup> Line from the Top of the last Page, strike out the Words, Town of Joppa, and insert in both Places, in the Room thereof, the following Words, viz.<sup>t</sup> Place commonly called Bush Town on Bush River.

Sign'd by Order U Scott Cl: Up: Ho:."

Which Bill, with the Amendments, was read, and ordered to lie on the Table.

Ordered, That the same be taken into Consideration To-morrow Morning.

M.<sup>r</sup> Beall appeared in the House

The Bill, entitled, An Act for emitting Bills of Credit and other Purposes therein mentioned; read the Second Time, and will pass. Sent to the Upper House, by M.<sup>r</sup> Johnson, M.<sup>r</sup> E Tilghman, M.<sup>r</sup> Paca, M.<sup>r</sup> Hollyday, M.<sup>r</sup> M Tilghman, M.<sup>r</sup> Hall, M.<sup>r</sup> Ringgold, M.<sup>r</sup> Chase, M.<sup>r</sup> Grahame, M.<sup>r</sup> Allen, M.<sup>r</sup> Dickinson, M.<sup>r</sup> Hayward, and M.<sup>r</sup> Beall.

Benedict Calvert Esq from the Upper House, delivered to M.<sup>r</sup> Speaker, the Petition of William Reynolds, of the City of Annapolis; indorsed: "By the Upper House of Assembly, Dec.<sup>r</sup> 12.<sup>th</sup> 1769: Read and referred to the Consideration of the Lower House of Assembly.

Sign'd by Order U Scott Cl: Up: Ho:."

Which was read the First Time, and ordered to lie on the Table.

The House adjourns 'til To-morrow Morning 9 o'Clock

L. H. J.  
Liber No. 54  
Dec. 13

Wednesday, December 13.<sup>th</sup>

The House met according to Adjournment.

The Members were called, and all appeared as on Yesterday.

The Proceedings of Yesterday were read.

M.<sup>r</sup> E Tilghman brought in, and delivered to M.<sup>r</sup> Speaker, a Bill, entitled, A Supplementary Act to the Act, entitled, An Act for laying out anew and settling and ascertaining the future Bounds and Limits of S.<sup>t</sup> Lukes, Christ's Church, and S.<sup>t</sup> John's Parishes, in Queen Anns County, and of S.<sup>t</sup> Pauls Parish, lying partly in Queen Anns, and partly in Talbot County :

Which was read the First Time, and ordered to lie on the Table.

The Bill, entitled, An Act to secure to Thomas Smyth the Right in a Lot of Land in Chester Town, was read with the Amendments, and passed for engrossing

p. 26 The Order of the Day being read, the House took into Consideration the Amendment proposed to the Bill entitled, An Act for appointing Places for holding the next Election of Delegates for Baltimore County; and after some Debate thereon, Resolved, That this House do agree to the said Amendment. The Bill passed for engrossing.

M.<sup>r</sup> Edward Noel, a Delegate returned for Dorchester County, appeared in the House.

Ordered, That M.<sup>r</sup> Sulivane, and M.<sup>r</sup> Steele, do go with the Gentleman to the Upper House to see him Qualified.

They return and acquaint M.<sup>r</sup> Speaker they saw him Qualified in the Usual Manner.

The Gentleman took his Seat in the House.

The Bill, entitled, An Act for the Relief of Mary Hindman of Talbot County, read the Second Time, and will pass. Sent to the Upper House by M.<sup>r</sup> Dickinson, and M.<sup>r</sup> N. Thomas

Mr. Johnson brought in, and delivered to M.<sup>r</sup> Speaker, the following Message.

By the Lower House of Assembly, December 13.<sup>th</sup> 1769.

May it please your Honors,

We cannot agree to the First Amendment you propose to the Bill for issuing Writs of Replevin out of the County Courts of this Province: We are pleased, however, to find that you see the Utility of that Bill, and are willing to hope that you will at all Times cheerfully co-operate in rendering the Constitution of our Courts, and our legal System of Justice, as perfect as possible.

Your Honors well know, that in England Replevins by the Common Law were made by original Writ, and that to expedite the Remedy, by a Statute of Henry 3.<sup>d</sup> Sheriffs are to make Replevin



without the Formality of any Writ, and by a Statute of Phillip and Mary, Sheriffs are to appoint four Deputies at the least, dwelling not above Twelve Miles distant from each other, to make Replevies, and Deliverance of Distresses.

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In those Statutes we have the Satisfaction to observe, that no Fee or Perquisite was referred to the Chancellor, as the Price of that Ease and Convenience to the Subject, which they, no Doubt, were intended to procure. And it may be observed too, that when those Alterations in the Law took Place, Distresses were held as Pledges or Securities only, and consequently the Evil then not so great as at this Time, when, by the Practice here, under the Statute of William the 3.<sup>d</sup> Distresses may be taken and sold at the End of Five Days, which apparently encreases the Evil, and shows the Necessity of speedy Replevins, which are generally prosecuted by needy Tenants, out of whose Pockets the Fee reserved by your Amendment to the Chancellor must be extracted.

On this Occasion, permit us to assure your Honors, that we shall never advisedly consent to any Fee being paid where no service is done, and shall be still more averse to the Establishment of a Principle so incompatible with political Regulation, as that of paying a Fine under the Name of a Fee, for the facile obtaining of Justice; nor can we imagine that his Excellency the Governor would, as Chancellor, regard a trifling Loss arising from the Passage of a reasonable Bill, which has constantly been desired by the People for a long Course of Years. p. 27

For these Reasons we have returned your Honors the Bill, upon an Expectation that you will recede from your First Amendment

We also disagree to the second Amendment, and think a Clause of Continuance unnecessary. We apprehend no Inconvenience can arise from more nearly conforming our Practice to the Laws of our Mother Country, which have been long in Use and produced happy Efforts, but still, should you think proper to give the Bill a Continuance for Three Years, and to the End of the next Session of Assembly thereafter, we are willing to pass it with that Amendment, and not otherwise.

Sign'd by Order T. Wright Cl: Lo: Ho:

Which was read, approved of, and Ordered to be engrossed.

The Serjeant at Arms returned the Order of this House of the 7.<sup>th</sup> Instant, with the following Indorsements, viz. I hereby depute Allen Quynn to serve the within Order. Witness my Hand this 7.<sup>th</sup> Day of December 1769

Robert Saunders, Serj.<sup>t</sup> at Arms

Allen Quynn makes Oath on the Holy Evangels of Almighty God, that he went to the House of Richard Lee Esq in Charles County,

L. H. J. where the within named Richard Lee jun.<sup>r</sup> resides, as he is informed,  
 Liber No. 54 and that he was told by some of the Family, that the said Richard  
 Dec. 13 Lee was gone to Virginia and would not return before Christmas.

R Ghiselin. Dec.<sup>r</sup> 13.<sup>th</sup> 1769

Resolved, That an Address be prepared to his Excellency, requesting him to remove from his Office, Richard Lee jun.<sup>r</sup> Sheriff of Charles County, for his cruel Treatment to his Prisoners. Ordered, That M.<sup>r</sup> E Tilghman, M.<sup>r</sup> Hollyday, M.<sup>r</sup> Chase, M.<sup>r</sup> Johnson, M.<sup>r</sup> Hall, M.<sup>r</sup> Paca, and M.<sup>r</sup> M. Tilghman, be a Committee to prepare and bring in the same.

The Serjeant at Arms returned the Order of this House of the 30.<sup>th</sup> of November last, against Daniel Chamier, Sheriff of Baltimore County, with the following Indorsement viz. December 9.<sup>th</sup> 1769. Summoned the within mentioned Daniel Chamier.

William Lux  
 Robert Saunders Serj.<sup>t</sup> at Arms.

Ordered, That the same be taken into Consideration To-morrow Morning.

M.<sup>r</sup> Ringgold brought in, and delivered to M.<sup>r</sup> Speaker, the engrossed Message; which was read and assented to, and sent to the Upper House by M.<sup>r</sup> E Tilghman, and M.<sup>r</sup> Chase

M.<sup>r</sup> Ringgold brought in, and delivered to M.<sup>r</sup> Speaker, a Bill entitled, An Act to redress the Evil arising from the Variation of the Compass in surveying Lands: Which was read the first Time, and ordered to lie on the Table.

M.<sup>r</sup> Gresham brought in, and delivered to M.<sup>r</sup> Speaker, the engrossed Bill, entitled, An Act for applying a Sum of Money, in Bills of Credit, to the Use therein mentioned.

p. 28 M.<sup>r</sup> Ringgold brought in, and delivered to M.<sup>r</sup> Speaker, the engrossed Bill, entitled, An Act to secure to Thomas Smyth the Right in a Lot of Land in Chester Town.

M.<sup>r</sup> Paca brought in, and delivered to M.<sup>r</sup> Speaker, the engrossed Bill, entitled, An Act for appointing Places for holding the next Election of Delegates for Baltimore County.

Which Bills, together with the engrossed Bill, entitled, An Act continuing an Act, entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, and the Supplementary Act thereto, were read and assented to, and with the Paper Bills thereof, sent to the Upper House by M.<sup>r</sup> Paca, and M.<sup>r</sup> Griffith.

The Journal of Accounts read, and assented to. Sent to the Upper House, by M.<sup>r</sup> Sulivane, M.<sup>r</sup> Wright, M.<sup>r</sup> Dickinson, and M.<sup>r</sup> Allen

M.<sup>r</sup> Sulivane brought in, and delivered to M.<sup>r</sup> Speaker, a Bill, entitled, An Additional Supplementary Act to the Act, entitled, An

Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs and for the Limitation of Officers Fees: Which was read the first Time, and ordered to lie on the Table.

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Walter Dulany Esq from the Upper House, delivered to M.<sup>r</sup> Speaker, the following Paper Bills, viz.

A Bill, entitled, An Act continuing an Act entitled, An Act for amending the Staple of Tobacco for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, and the Supplementary Act thereto.

A Bill, entitled, An Act for applying a Sum of Money, in Bills of Credit, to the Use therein mentioned.

A Bill, entitled, An Act to secure to Thomas Smyth, the Right in a Lot of Land in Chester Town

And, a Bill entitled, An Act for appointing Places for holding the next Election of Delegates for Baltimore County.

Which Bills were severally indorsed: "By the Upper House of Assembly Dec.<sup>r</sup> 13.<sup>th</sup> 1769. The engrossed Bill, whereof this is the Original, read and assented to.

Sign'd by Order U Scott Cl: Up: Ho."

M.<sup>r</sup> Ringgold brought in, and delivered to M.<sup>r</sup> Speaker, a Bill, entitled, A Supplementary Act to the Act, entitled, An Act for the Direction of Sheriffs in their Offices and restraining their ill Practices within this Province. Which was read the first Time, and ordered to lie on the Table.

The House adjourns 'til To-morrow Morning 9 o'Clock

Thursday, December 14.<sup>th</sup>

Dec. 14

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Gantt appeared in the House

M.<sup>r</sup> Sulivane, M.<sup>r</sup> Hooper, and M.<sup>r</sup> Selbey, have leave of Absence.

The House being made acquainted that Daniel Chamier, Sheriff of Baltimore County was attending on this House, Ordered, That he be called to the Bar thereof; and after hearing M.<sup>r</sup> Chamier in his Defense, he was ordered to withdraw; and, upon Consideration of the several Matters with which the said Chamier stands charged: Resolved, That the said Daniel Chamier did misconduct himself at the late Election of Delegates for Baltimore County, in closing the Polls on the second Day of the Election, against the Consent of one of the Candidates, and when he had reason to believe that a Number

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of Persons were on their Way, and that many others might be expected the next Day, to vote at the said Election; whereby the People were prevented from having a full and free Election.

Ordered, That M.<sup>r</sup> Hayward, M.<sup>r</sup> Hollyday, M.<sup>r</sup> Grahame, M.<sup>r</sup> N. Thomas, and M.<sup>r</sup> Beall, be a Committee to tax the Costs arising on the Complaint against the said Sheriff

M.<sup>r</sup> Hayward brought in, and delivered to M.<sup>r</sup> Speaker, the following Report

By the Committee appointed to tax the Fees and Expences on the Petition of the Freeholders of Baltimore County, against Daniel Chamier, Sheriff of said County.

Your Committee, in Obedience to the Order of the House, have enquired into the Fees and Expences on the Petition of the Freeholders of Baltimore County, and have taxed the same as follows viz.

To the Clerk, for Nine Summonses.....	£1. 7.0
To the Serjeant, for serving Eight ditto.....	I. 4.0
To ditto for One ditto returned Non est inventus.....	... 1.6
To the Clerk for a Warrant to take the Sheriff into his Custody.....	} ... 3.0
To the Serjeant for serving the same.....	... 3.0
To Edward Burgess, from Frederick County, for Two Days Attendance as a Witness, at five shillings and four Days itinerant Charges, at three Shillings.....	} I. 2.0
To William Hammond, John Henry, and Edward Bond, from Baltimore County, for Three Days Attendance as Witnesses, at Five Shillings; and Four Days intinerant Charges, at Three Shillings each.....	} 4. I.0
To James Hammond, for Three Days Attendance, as a Witness, at Five Shillings.....	} ..15..
To the Serjeant at Arms, for Cash paid for serving the above Summonses .....	} I.15.0
<hr/>	
£10.11.6	

All which is humbly submitted to the Consideration of the Honorable House.

Sign'd by Order. Ralph Dobinson Clk

Which was read, and concurred with.

M.<sup>r</sup> Chamier was then called to the Bar of this House.

Ordered, That M.<sup>r</sup> Speaker do acquaint the said M.<sup>r</sup> Chamier with the Sense of this House, and to admonish him to be more circumspect for the Future in his Conduct as Sheriff; which he did in the following Manner.



M.<sup>r</sup> Chamier,

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This House is of Opinion that you have misconducted yourself at the last Election of Delegates for Baltimore County, in closing the Polls on the Second Day of the Election, against the consent of one of the Candidates, and when you had reason to believe that a Number of Persons were on their Way, and that many others might be expected the next Day, to vote at the said Election; whereby the People were prevented from having a full and free Election. You are therefore admonished to be more circumspect for the future in your Conduct as Sheriff; and you are discharged, on your paying £4.13.6 to the Officers of this House, and £5.18.0 to M.<sup>r</sup> Thomas Cockey Deye, for his other Charges in prosecuting the Petition against you; which Fees and Charges have been taxed by a Committee of this House, of which Taxation you may, by applying to the Clerk, have a Copy.

M.<sup>r</sup> Thomas Contee, a Delegate returned for Prince Georges County, and M.<sup>r</sup> Andrew Heugh, a Delegate returned for Frederick County, appeared in the House.

Ordered, That M.<sup>r</sup> Beall, M.<sup>r</sup> Ware, and M.<sup>r</sup> Luckett, do go with those Gentlemen to the Upper House, and see them Qualified. They return and acquaint M.<sup>r</sup> Speaker, they saw them Qualified in the usual Manner.

The Gentlemen took their Seats in the House

George Steuart, and William Fitzhugh Esquires, from the Upper House, acquaint M.<sup>r</sup> Speaker that the Governor requires the Attendance of the Members of this House immediately in the Upper House

M.<sup>r</sup> Speaker left the Chair, and (attended by the rest of the Members of the Lower House) went to the Upper House, and there presented to his Excellency the following Bills, which he passed into Laws in the usual Manner.

A Bill, entitled, An Act for the Naturalization of Peter Haldimand.

A Bill, entitled, An Act continuing an Act, entitled, An Act for repairing the Public Roads in this Province, and the Supplementary Act thereto.

A Bill, entitled, An Act continuing an Act, entitled, An Act to ease the Inhabitants of this Province, and to empower the Justices of the several Counties to bind out Persons therein mentioned, Apprentices.

A Bill, entitled, An Act continuing an Act, entitled, An Act to oblige infested Ships and other Vessels coming into this Province to perform Quarentine.

A Bill, entitled, An Act continuing an Act, entitled, An Act to encrease the Allowance of Jurors attending the Provincial and County Courts, and for other Purposes therein mentioned.

L. H. J.      A Bill, entitled, An Act continuing an Act, entitled, A Supple-  
Liber No. 54      mentary Act to the Act, entitled, An Act for ascertaining what Dam-  
Dec. 14      ages shall be allowed upon protested Bills of Exchange.

p. 31      A Bill, entitled, An Act continuing an Act, entitled, An Act for  
amending the Staple of Tobacco, for preventing Frauds in his  
Majesty's Customs, and for the Limitation of Officers Fees, and the  
Supplementary Act thereto.

A Bill, entitled, An Act for applying a Sum of Money in Bills  
of Credit, to the Use therein mentioned.

A Bill, entitled, An Act to secure to Thomas Smyth, the Right  
of a Lot of Land in Chester Town. And

A Bill, entitled, An Act for appointing Places for holding the  
next Election of Delegates for Baltimore County.

M.<sup>r</sup> Speaker (with the rest of the Members) returned to the  
Lower House and resumed the Chair.

William Fitzhugh Esq from the Upper House delivered to M.<sup>r</sup>  
Speaker, the Bill, entitled, An Act for the Relief of Mary Hindman  
of Talbot County; indorsed: "By the Upper House of Assembly  
Dec.<sup>r</sup> 13.<sup>th</sup> 1769: Read the first Time and ordered to lie on the  
Table.

Sign'd by Order U Scott Cl: Up: Ho:."

"By the Upper House of Assembly Dec.<sup>r</sup> 14.<sup>th</sup> 1769: Read the  
Second Time and will pass.

Sign'd by Order U Scott Cl: Up: Ho:."

Which was read and passed for engrossing.

M.<sup>r</sup> Luckett brought in, and delivered to M.<sup>r</sup> Speaker, a Bill,  
entitled, An Act to appropriate the half Acre of Ground therein  
mentioned, to the Use of the Public School in Frederick County.

M.<sup>r</sup> Ringgold brought in, and delivered to M.<sup>r</sup> Speaker, a Bill, en-  
titled, A Supplementary Act to the Act, entitled, An Act for ascer-  
taining the Height of Fences, to prevent the Evil occasioned by the  
Multitude of Horses, and restraining Horse Rangers within this  
Province; and to redress the great Evil accruing to this Province,  
by the Multiplicity of useless Horses, Mares, and Colts that run  
in the Woods: Which was read the first Time and ordered to lie  
on the Table.

The Bill, entitled, A Supplementary Act to the Act entitled, An  
Act for laying out anew, and settling and ascertaining the future  
Bounds and Limits of S.<sup>t</sup> Lukes, Christ's Church, and S.<sup>t</sup> John's  
Parishes in Queen Anns County, and of S.<sup>t</sup> Pauls Parish lying  
partly in Queen Ann's and partly in Talbot County; Read the Second  
Time and will pass. Sent to Upper House by M.<sup>r</sup> E Tilghman, and  
M.<sup>r</sup> Wright

Daniel Dulany Esq from the Upper House, delivered to M.<sup>r</sup> Speaker, the Bill, entitled, An Act for emitting Bills of Credit, and other Purposes therein mentioned; indorsed: "By the Upper House of Assembly Dec.<sup>r</sup> 13.<sup>th</sup> 1769: Read the First Time and ordered to lie on the Table.

L. H. J.  
Liber No. 54  
Dec. 14

Sign'd by Order U Scott Cl: Up: Ho:."

"By the Upper House of Assembly Dec.<sup>r</sup> 14.<sup>th</sup> 1769. Read the Second Time and will pass.

Sign'd by Order U Scott Cl: Up: Ho:."

Which was read and passed for engrossing.

M.<sup>r</sup> N. Thomas brought in, and delivered to M.<sup>r</sup> Speaker, the engrossed Bill entitled, An Act for the Relief of Mary Hindman of Talbot County. Which was read and assented to, and, with the Paper Bill thereof, sent to the Upper House by M.<sup>r</sup> Dickinson, and M.<sup>r</sup> N. Thomas.

It appearing to the House, that a Petition of Samuel Cookson of Baltimore County, was preferred to the last Session of Assembly, had a first reading, and nothing further done therein; Ordered, That the same be now read, and it was read accordingly.

Ordered, That M.<sup>r</sup> Grahame, M.<sup>r</sup> Paca, and M.<sup>r</sup> Dickinson, be a Committee to enquire into the Facts contained in said Petition, and report the same to the House

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M.<sup>r</sup> Grahame brought in, and delivered to M.<sup>r</sup> Speaker, the following Report.

By the Committee appointed to enquire into the Facts contained in the Petition of Samuel Cookson, and report the same to the House

Your Committee have examined the several Vouchers produced to them to establish the Facts contained in the said Petition, and find them all to be true: Which is humbly submitted to the Consideration of the honorable House.

Signd p Order Henry Gassaway Cl: Com Dec.<sup>r</sup> 14.<sup>th</sup> 1769.

Which was read. Leave given to bring in a Bill according to prayer

M.<sup>r</sup> Ringgold brought in, and delivered to M.<sup>r</sup> Speaker, a Bill, entitled, An Act for confirming to Samuel Cookson of Baltimore County, sundry Lands therein mentioned: Which was read the First Time and ordered to lie on the Table.

The House adjourns 'til To morrow Morning 9 o'Clock.

Friday, December 15.<sup>th</sup>

Dec. 15

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday, except M.<sup>r</sup> Sulivane, M.<sup>r</sup> Hooper, and M.<sup>r</sup> Selbey.

L. H. J.  
Liber No. 54  
Dec. 15

The Proceedings of Yesterday were read.

M.<sup>r</sup> Mordecai Jacobs, a Delegate returned for Prince Georges County, appeared in the House.

Ordered, That M.<sup>r</sup> Tyler, and M.<sup>r</sup> Contee do go with the Gentleman to the Upper House to see him Qualified. They return and acquaint M.<sup>r</sup> Speaker they saw him Qualified in the usual Manner. The Gentleman took his Seat in the House

The Bill, entitled, An Act to enable the Justices of Queen Ann's County Court, for the Time being, to levy on the Taxable Inhabitants of S.<sup>t</sup> Lukes Parish, a Quantity of Tobacco for building a Chapel of Ease in the said Parish. Read the Second Time, and will pass. Sent to the Upper House by M.<sup>r</sup> Hollyday, and M.<sup>r</sup> Steele.

Benedict Calvert Esq, from the Upper House, delivered to M.<sup>r</sup> Speaker the Bill entitled a Supplementary Act to the Act, entitled, An Act for laying out anew and settling and ascertaining the future Bounds and Limits of S.<sup>t</sup> Lukes, Christ's Church, and S.<sup>t</sup> Johns Parishes in Queen Anns County and of S.<sup>t</sup> Pauls Parish lying partly in Queen Anns and partly in Talbot County; indorsed: "By the Upper House of Assembly Dec.<sup>r</sup> 14. 1769: Read the First and Second Time by an especial Order, and will pass.

Signed by Order U Scott Cl: Up: Ho:."

Which was read, and passed for engrossing.

p. 33 M.<sup>r</sup> Johnson brought in and delivered to M.<sup>r</sup> Speaker a Bill entitled, An Additional Supplementary Act to the Act entitled, An Act to prevent the Abuses of concealing convicted Felons, and other Offenders imported into this Province, and for the better Discovery of them.

Also a Bill, entitled, An Act for imposing a further Additional Duty of [ten] Pounds per Poll on all Negroes imported into this Province. Which Bills were read the First Time and ordered to lie on the Table.

William Fitzhugh Esq from the Upper House delivered to M.<sup>r</sup> Speaker, the Bill, entitled, An Act to enable the Justices of Queen Anns County Court for the Time being, to levy on the Taxable Inhabitants of S.<sup>t</sup> Lukes Parish in the said County a Quantity of Tobacco for building a Chapel in the said Parish; indorsed: "By the Upper House of Assembly Dec.<sup>r</sup> 15.<sup>th</sup> 1769: Read the First and Second Time by an especial Order and will pass.

Sign'd by Order U Scott Cl: Up: Ho:."

Which was read here and passed for ingrossing.

Walter Dulany Esq from the Upper House delivered to M.<sup>r</sup> Speaker, the Petition of the Rector, Vestrymen, and Church Wardens of Queen Ann Parish in Prince Georges County; indorsed: "Dec.<sup>r</sup>



15.<sup>th</sup> 1769: Read and referred to the Consideration of the Lower House of Assembly.

L. H. J.  
Liber No. 54  
Dec. 15

Sign'd by Order U Scott Cl: Up: Ho:”

The Bill, entitled, A Supplementary Act to the Act, entitled, An Act for the Direction of Sheriffs in their Offices, and restraining their ill Practices within this Province, read the second Time and will pass. Sent to the Upper House by M.<sup>r</sup> Johnson, and M.<sup>r</sup> Buchanan.

Upon reading the Message from the late Governor to this House, at the last Session of Assembly, and the Account of Isaac Baker, mentioned therein, which Message and Account were refered to the Consideration of the Session of Assembly: Resolved, That the said Isaac Baker be allowed the First, Second, and Third Articles of Charge in the said Account, amounting to £48.0.6 and that he be allowed the further Sum of £51.19.6 for the Loss of his Horse, Gun, and Service of his Slave taken Prisoner by the Indians Four Years; it appearing to this House, that the said Loss was sustained when the Slave was going Express for the public Service, by Order of the then Commander in Chief of this Province.

The Bill, entitled, An Act to repeal Part of an Act, entitled, An Act providing what shall be good Evidence to prove foreign and other Debts, and to prevent vexatious and unnecessary Suits at Law, pleading Discounts in Bar, and for repealing an Act of Assembly therein mentioned; read the Second Time, and will not pass.

The Bill, entitled, An Act to repeal an Act, entitled, An Act for the Advancement of Justice; read the Second Time and will not pass.

The Bill, entitled, An Act for confirming to Samuel Cookson of Baltimore County, sundry Lands therein mentioned, read the Second Time, and referred to the Consideration of the next Session of Assembly.

The Bill, entitled, An Act to Appropriate the Half Acres of Ground therein mentioned to the Use of the public School in Frederick County; read the Second Time and will pass. Sent to the Upper House by M.<sup>r</sup> Lockett & M.<sup>r</sup> Heugh. p. 34

M.<sup>r</sup> Johnson brought in, and delivered to M.<sup>r</sup> Speaker, a Bill, entitled, An Act to aid the Navigation on the River Patowmack: Which was read the First Time and ordered to lie on the Table.

The Bill, entitled, An Act to redress the Evils arising from the Variation of the Compass in Surveying Lands, read the Second Time, and referred to the Consideration of the next Session of Assembly.

Resolved, That the same be printed in the Maryland Gazette, and Three Copies thereof printed and sent to each of the Members of the Upper and Lower Houses of Assembly, as soon as may be.

L. H. J.      The engrossed Bill, entitled, An Act to enable the Justices of  
 Liber No. 54      Queen Anns County Court, for the Time being, to levy on the taxable  
 Dec. 15      Inhabitants of Saint Lukes Parish, in the said County, a Quantity  
                  of Tobacco, for building a Chapel in the said Parish; read and  
                  assented to, and, with the Paper Bill thereof, sent to the Upper  
                  House by M.<sup>r</sup> Hollyday and M.<sup>r</sup> Wright

The engrossed Bill, entitled, A Supplementary Act to the Act,  
 entitled, An Act for laying out a new, and settling and ascertaining  
 the future Bounds and Limits of S.<sup>t</sup> Lukes, Christs Church, and S.<sup>t</sup>  
 Johns Parishes in Queen Anns County, and of S.<sup>t</sup> Pauls Parish lying  
 partly in Queen Anns, and partly in Talbot County, read and assented  
 to, and, with the Paper Bill thereof, sent to the Upper House by  
 M.<sup>r</sup> Hollyday and M.<sup>r</sup> Wright

The engrossed Bill, entitled, An Act for emitting Bills of Credit,  
 and other Purposes therein mentioned, read and assented to, and,  
 with the Paper Bill thereof, sent to the Upper House by M.<sup>r</sup> Grahame,  
 M.<sup>r</sup> Allen, M.<sup>r</sup> Buchanan, and M.<sup>r</sup> Ware.

Daniel Dulany Esq, from the Upper House, delivered to M.<sup>r</sup>  
 Speaker, the Bill, entitled, An Act to appropriate the Half Acre of  
 Ground therein mentioned to the Use of the Public School in Fred-  
 erick County; indorsed: "By the Upper House of Assembly, Dec.<sup>r</sup>  
 15.<sup>th</sup> 1769: Read the first and second Time by an especial Order,  
 and will pass.

Sign'd by Order U Scott Cl: Up: Ho:."

Which was read and passed for engrossing.

Also the Bill, entitled, A Supplementary Act to the Act, entitled,  
 An Act for the Direction of Sheriffs in their Offices, and restraining  
 their ill Practices within this Province; indorsed: "By the Upper  
 House of Assembly Dec.<sup>r</sup> 15.<sup>th</sup> 1769 Read the First Time and  
 ordered to lie on the Table.

Signed by Order U Scott Cl: Up: Ho:."

"By the Upper House of Assembly Dec.<sup>r</sup> 15.<sup>th</sup> 1769 Read the  
 Second Time by an especial Order and will pass with the following  
 Amendment, viz, Strike out all that follows after the Word Suit,  
 in the second Line of the last Page.

Signed by Order U Scott Cl: Up: Ho:."

Which Amendment was agreed to by this House, and the Bill  
 ordered to be engrossed.

p. 35      The Bill, entitled, An Additional Supplementary Act to the Act,  
                  entitled, An Act for amending the Staple of Tobacco, for preventing  
                  Frauds in his Majesty's Customs, and for the Limitation of Officers  
                  Fees, read the Second Time, and the Question put that the said  
                  Bill do pass? Resolved in the Affirmative.

## For the Affirmative.

M. <sup>r</sup> Eden,	M. <sup>r</sup> Harrison,	M. <sup>r</sup> Jacobs,
Thomas,	Dickinson,	Hall,
Wolstenholme,	M. Tilghman,	Paca,
Buchanan,	N. Thomas,	Hollyday,
Ringgold,	Steele,	Wright,
Bordley,	Noel,	Allen,
Gresham,	Veazy,	Luckett,
Johnson,	Baxter,	Heugh.
Griffith,	Beall,	[28]
Ware,	Tyler,	

L. H. J.  
Liber No. 54  
Dec. 15

## For the Negative

M. <sup>r</sup> Chase,	M. <sup>r</sup> Grahame,	M. <sup>r</sup> Ward,
Gantt,	Mackall,	Contee.

[6]

The Bill sent to the Upper House by M.<sup>r</sup> Hall, and M.<sup>r</sup> Steele

George Steuart Esq, from the Upper House, delivered to M.<sup>r</sup> Speaker the Journal of Accounts and the following Message:

By the Upper House of Assembly, Dec.<sup>r</sup> 14.<sup>th</sup> [15] 1769.

Gentlemen,

In November Session 1766, when the last Journal of Accounts that Passed, . . . [*The message beginning thus is printed in full in the Upper House Journal, p. 22*]

Which Message was read the First Time, and ordered to lie on p. 36 the Table.

William Fitzhugh Esq from the Upper House, delivered to M.<sup>r</sup> Speaker the Bill, entitled, An Additional Supplementary Act to the Act, entitled, An Act for amending the Staples of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; thus endorsed: "By the Upper House of Assembly Dec.<sup>r</sup> 15.<sup>th</sup> 1769. Read the First and Second Time by an especial Order and will not pass.

Sign'd by Order, U Scott Cl: Up: Ho:."

The Bill, entitled, A Supplementary Act to the Act, entitled, An Act ascertaining the Height of Fences, to prevent the Evils occasioned by the Multitude of Horses, and restraining Horse Rangers within this Province; and to redress the great Evil accruing to this Province by the Multiplicity of useless Horses, Mares, and Colts that run in the Woods: Read the Second Time and will pass.

The Bill, entitled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Ann Catharine Green of the City of Annapolis, Printer; Read the Second

L. H. J. Time and will pass. Which Bills were sent to the Upper House by  
 Liber No. 54 M.<sup>r</sup> Hayward and M.<sup>r</sup> Gantt  
 Dec. 15

M.<sup>r</sup> Veazy, M.<sup>r</sup> Ward, and M.<sup>r</sup> Bordley, have Leave of absence.

The House adjourns 'til To-morrow Morning 9 o'Clock.

Dec. 16

Saturday, December 16.<sup>th</sup>

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday, except M.<sup>r</sup> Veazy, M.<sup>r</sup> Ward, and M.<sup>r</sup> Bordley.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Hayward brought in, and delivered to M.<sup>r</sup> Speaker, a Bill, entitled, An Act for preventing the Evil occasioned by the Continuance of Suits at Law, on Suggestion of want of Evidence from beyond the Sea: Which was read the First Time and Ordered to lie on the Table.

M.<sup>r</sup> Thomas Sprigg Wootton, a Delegate returned for Frederick County, appeared in the House.

Ordered, That M.<sup>r</sup> Lockett and M.<sup>r</sup> Heugh do go with the Gentleman to the Upper House to see him Qualified. They return and acquaint M.<sup>r</sup> Speaker, they saw him Qualified in the usual Manner.

The Gentleman took his Seat in the House.

M.<sup>r</sup> E. Tilghman brought in, and delivered to M.<sup>r</sup> Speaker, a Bill, entitled, An Act for raising Four Pence Sterling on every Hogshead of Tobacco exported out of this Province for the support of an Agent at London for the service of this Province: Which was read the First and Second Time by an especial Order and will pass. Sent to the Upper House by M.<sup>r</sup> Johnson, and M.<sup>r</sup> Chase.

p. 37 The engrossed Bill, entitled, A Supplementary Act to the Act, entitled, An Act for the Direction of Sheriffs in their Offices and restraining their ill Practices within this Province: Read and assented to, and, with the Paper Bill thereof, sent to the Upper House by M.<sup>r</sup> Johnson and M.<sup>r</sup> Allen

On reading the Second Time, the Message of the Upper House with the Journal of Accounts, Resolved, that the Consideration thereof be referred to the next Session of Assembly, and that the business of the Journal be the first transacted with that House, in the next Session

Walter Dulany Esq, from the Upper House, delivered to M.<sup>r</sup> Speaker the Paper Bills, entitled, An Act to enable the Justices of Queen Anns County Court, for the Time being, to levy on the Taxable Inhabitants of S.<sup>t</sup> Lukes Parish, in the said County, a Quantity of Tobacco, for building a Chapel in the said Parish.



A Supplementary Act to the Act, entitled, An Act for laying out a new and settling and ascertaining the future Bounds and Limits of S.<sup>t</sup> Lukes, Christs Church, and S.<sup>t</sup> Johns Parishes in Queen Anns County, and of Saint Pauls Parish lying partly in Queen Anns and partly in Talbot County.

L. H. J.  
Liber No. 54  
Dec. 16

An Act for emitting Bills of Credit and other Purposes therein mentioned. And

A Supplementary Act to the Act, entitled, An Act for the Direction of Sheriffs in their Offices, and restraining their ill Practices within this Province: Which Bills were thus severally indorsed: "By the Upper House of Assembly Dec.<sup>r</sup> 16.<sup>th</sup> 1769. The engrossed Bill, whereof this is the Original, read and Assented to.

Signed by Order U Scott Cl: Up: Ho:."

The Bill, entitled, An Act for the releif of certain Languishing Prisoners in the several Jails therein mentioned: Read the Second Time and will pass. Sent to the Upper House by M.<sup>r</sup> Ware and M.<sup>r</sup> N. Thomas.

M.<sup>r</sup> Ringgold brought in, and delivered to M.<sup>r</sup> Speaker, a Bill, entitled, An Act for enforcing the Payment of public Monies: Which was read the first and second Time by an especial Order, and will pass.

Also, a Bill, entitled, An Act to repeal Part of an Act to encourage the destroying of Wolves, Crows, and Squirrels: Which was read the first and second Time, by an especial Order, and will pass. Which Bills were sent to the Upper House by M.<sup>r</sup> Ringgold and M.<sup>r</sup> Mackall.

John Ridout Esq from the Upper House, delivered to M.<sup>r</sup> Speaker, the Bill, entitled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Ann Catharine Green of the City of Annapolis, Printer.

And the Bill, entitled, A Supplementary Act to the Act, entitled, An Act for ascertaining the Height of Fences, to prevent the Evils occasioned by the Multitude of Horses, and restraining Horse Rangers within this Province, and to redress the great Evils accruing to this Province by the Multiplicity of useless Horses, Mares, and Colts that run in the Woods: Which Bills were thus severally indorsed; "By the Upper House of Assembly Dec.<sup>r</sup> 16.<sup>th</sup> 1769: Read the First and Second Time, by an especial Order, and will pass.

Signed by Order, U Scott Cl: Up: Ho:."

Which were read and ordered to be engrossed.

George Steuart Esq, from the Upper House, delivered to M.<sup>r</sup> Speaker, the Bill, entitled, An Act to repeal Part of an Act to encourage the destroying of Wolves, Crows, and Squirrels; indorsed:

p. 38

L. H. J. “By the Upper House of Assembly Dec.<sup>r</sup> 16.<sup>th</sup> 1769: Read the first  
Liber No. 54 and Second Time by an especial Order and will pass.  
Dec. 16

Signed by Order U. Scott Cl: Up: Ho:”

Which was read and passed for engrossing.

M.<sup>r</sup> Allen, and M.<sup>r</sup> Steele, have leave of Absence.

The House adjourns ’til Monday Morning 9 o’Clock.

Dec. 18

Monday, Dec.<sup>r</sup> 18.<sup>th</sup>

The House met according to Adjournment.

The Members were called and all appeared as on Saturday, except  
M.<sup>r</sup> Allen, M.<sup>r</sup> Steele, M.<sup>r</sup> Tyler, and M.<sup>r</sup> Jacobs.

The Proceedings of Saturday were read.

M.<sup>r</sup> Grahame brought in, and delivered to M.<sup>r</sup> Speaker, the engrossed Bill, entitled, An Act to repeal Part of an Act, to encourage the destroying of Wolves, Crows, and Squirrels: Which was read and assented to.

M.<sup>r</sup> Worthington appeared in the House

John Ridout Esq from the Upper House, delivered to M.<sup>r</sup> Speaker the following Message.

By the Upper House of Assembly Dec.<sup>r</sup> 18.<sup>th</sup> 1769.

Gentlemen,

The Apparent Object of the Bill for Issuing Writs of Replevin out of the County Courts of this Province, . . . [*The message beginning thus is printed in full in the Upper House Journal, pp. 26-28*]

p. 39 The engrossed Bills, entitled, An Act to Appropriate the Half  
Acre of Ground therein mentioned, to the Use of the Public School  
p. 40 in Frederick County.

A Supplementary Act to the Act, entitled, An Act ascertaining the Height of Fences &c.\* And An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Ann Catharine Green of the City of Annapolis, Printer: Read and assented to.

M.<sup>r</sup> Hollyday brought in, and delivered to M.<sup>r</sup> Speaker, the following Address.

To his Excellency Robert Eden Esq, Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

It is extremely disagreeable to us to find ourselves under a Necessity of laying before you our Proceedings against Richard Lee jun.<sup>r</sup> Sheriff of Charles County.

Your Excellency will find, by the Papers hereunto annexed, which we beg Leave to refer you to, that this House did early in their Session, as they thought it their indispensable Duty, take such Steps as were in their Power, to gain the fullest and clearest Information concerning the Facts complained of in the Petitions of John Doncastle and William Wright. And though our Enquiry has been in Part eluded, by the Disobedience of the said Richard Lee jun to the Order and Process of this House, we are of Opinion, that the principal Facts charged in the said Petitions are supported by the Evidence we have been able to obtain.

L. H. J.  
Liber No. 54  
Dec. 18

The Condition and Size of the Room, in which the said Sheriff confines his Prisoners for Debt, the Want of Fire in the severe Weather of the last Winter, and the effects thereof on the Health of the Prisoners, appear from the Report of our Committee of Grievances, and the Deposition of William Wyatt Fentham, taken before the said Committee.

The Fact of tying up and whipping the Petitioner, William Wright as set forth in his Petition, we conceive is sufficiently evinced by the Record of the said Lee's Conviction, and the Fine imposed upon him for that Offence, in Charles County Court. Further Evidence it was in the Power of the Sheriff to have enabled us to obtain, for the more clear elucidating, or refuting, the Complaints contained in the said Petitions; and his refusing to do so, and declining to appear and abide the Enquiry, give us just Grounds to infer his Consciousness of the Truth of the whole.

When we reflect how much in the Power of a Sheriff his Prisoners are, and what Opportunities he has, from the very nature of his Office, to oppress and maltreat them: When we find our fellow Creatures, reduced by their Misfortunes to the Anguish of a Jail, exposed to all the Miseries of Cold and Wet, in the most inclement Season of the Year; and one of them, over whom the Sheriff had no lawful Power but that of confining his Person; illegally, cruelly, and ignominiously scourged by his Order, by the Hand of a Slave; and when upon Complaint made to the Delegates of the People, whose Right and Duty it is to enquire into, and present all Grievances of a public Nature, we find the Sheriff, refusing to pay Obedience to our Process, and to avoid an enquiry, not only absenting himself from his County, where, by the Duty of his Station, he ought at all Times to be found and amenable to Complaints, but even from the Province; we hope your Excellency will think us excusable, if we feel and express some Warmth of Resentment towards M.<sup>r</sup> Lee; and under these Circumstances we cannot but think it a Justice due to the Public that the said Richard Lee jun.<sup>r</sup> should be removed from his Office of Sheriff of Charles County, as being unworthy of, and unfit for, so important a Trust; and we do earnestly request that your Excellency will be pleased to remove him

p. 41

L. H. J. Which Address he read in his Place, and then delivered it in at the  
Liber No. 54 Table, where it was read, approved of, and ordered to be engrossed.  
Dec. 18

Walter Dulany Esq; from the Upper House delivered to M.<sup>r</sup> Speaker, the Bill, entitled An Act for enforcing the Payment of public Money; endorsed: “By the Upper House of Assembly Dec.<sup>r</sup> 16.<sup>th</sup> 1769, Read the first Time and ordered to lie on the Table.

Signed by Order U Scott Cl: Up: Ho:”

“By the Upper House of Assembly Dec.<sup>r</sup> 18.<sup>th</sup> 1769: Read the Second Time, and will pass with the following Amendment, viz, After the Word ‘Commissioners’ in the last Line of the First Page, insert the following Words, ‘having First applied for, and obtained his Excellency the Governor’s approbation.’

Sign’d by Order, U Scott Cl: Up: Ho:”

Also, a Bill, entitled, An Act relating to Replevins; endorsed: “By the Upper House of Assembly Dec.<sup>r</sup> 18.<sup>th</sup> 1769 Read the First and Second Time by an especial Order and will pass.

Signed by Order U Scott Cl: Up: Ho:”

Which last mentioned Bill was read the First Time and ordered to lie on the Table.

Benedict Calvert Esq; from the Upper House, delivered to M.<sup>r</sup> Speaker, the Bill, entitled, An Act for the Relief of certain languishing Prisoners in the several Jails therein mentioned; endorsed: “By the Upper House of Assembly Dec.<sup>r</sup> 16.<sup>th</sup> 1769: Read the First Time, and ordered to lie on the Table.

Signed by Order, U. Scott Cl: Up: Ho:”

“By the Upper House of Assembly Dec.<sup>r</sup> 18.<sup>th</sup> 1769: Read the Second Time, and will pass with the following Amendment, viz. Strike out the Names of William Lock, Joseph Miller, John Rourke, John Smyth, Moses Barney, Thomas Waters, John Browne, and Isaac Dawson, of Baltimore County, and Charles Kedwards of Ann Arundel County.

Signed by Order U Scott Cl: Up: Ho:”

Which Amendment was agreed to, and the Bill passed for engrossing.

Also the following Message.

p. 42 By the Upper House of Assembly, Dec.<sup>r</sup> 18.<sup>th</sup> 1769.  
Gentlemen.

Upon Representations made to the House since the Petitions of William Lock, Joseph Miller, John Rourke, John Smyth, Moses Barney, Thomas Waters, John Browne, and Isaac Dawson of Baltimore County, and Charles Kedwards of Ann Arundel County, were referred to your Consideration, we think the above Named Persons



are not proper Objects of Relief, and have therefore, by our Amendment to the Bill, entitled, An Act for the Relief of certain languishing Prisoners in the several Jails therein mentioned, proposed to strike out their Names.

L. H. J.  
Liber No. 54  
Dec. 18

Signed by Order U Scott Cl: Up: Ho:

The Bill, entitled, An Act to aid the Navigation on the River Patowmack, read the Second Time and will pass.

The Bill, entitled, An Act for imposing a further additional Duty of Ten Pounds per Poll on all Negroes imported into this Province, read the Second Time, and will pass.

The House adjourns 'till To-morrow Morning 9 o'Clock.

Tuesday, Dec.<sup>r</sup> 19.<sup>th</sup>

Dec. 19

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

M.<sup>r</sup> Tyler appeared in the House.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Hollyday brought in, and delivered to M.<sup>r</sup> Speaker the engrossed Address to his Excellency, which was read and assented to, and signed, by Order of the House, by the Honorable Speaker.

Ordered, That M.<sup>r</sup> Hollyday, and M.<sup>r</sup> Grahame do wait upon his Excellency, and acquaint him that this House hath prepared an Address to be presented to him, and desires to know when and where he will be pleased to receive it. They return and acquaint M.<sup>r</sup> Speaker they delivered the Message, and that his Excellency was pleased to signify he would receive the Address Half an Hour hence in the Conference Chamber.

Ordered, That M.<sup>r</sup> E. Tilghman, and seven more of the Committee of Grievances do present the Address.

M.<sup>r</sup> E. Tilghman brought in and delivered to M.<sup>r</sup> Speaker the following Report

By the Committee of Grievances and Courts of Justice.

Your Committee beg leave to Report to your honorable House that upon the Complaint of William Clements, of Charles County, of excessive Charges, in Bills of Costs, made out by Philip Richard Fendal, Clerk of that County; your Committee examined such Bills of Costs as were laid before them, and find it a Practice with that Clerk, in making out Bills of Costs for Plaintiffs, to charge Executions, if required, Nine Pounds of Tobacco on every Judgment. The Evil and Iniquity of this Charge must be very apparent, because upon the Delivery of such Bill of Cost to the Defendant, he will, in most Cases, pay it whether Execution issues or not, though the

L. H. J. Plaintiff may perhaps not pay it unless Execution issues, though it  
 Liber No. 54 would seem more probable that he always pays it  
 Dec. 19

Your Committee also find a Charge of Search and short Copy of Judgment upon which Writs of Scire Facias are to be made out, which your Committee are of Opinion is unjust, illegal, and oppressive, and not warranted by the Table of Fees in the Inspection Law; the Clerks of the County Courts, having, by the said Law a full Compensation for making out the said Writ, and resorting to the Record of the Judgment in Order to do it, is a Matter merely incidental to the Performance of this Duty.

Your Committee cannot but look upon the before mentioned Charges as unwarrantable, under the Establishment of Officers Fees within this Province, and oppressive to the good People thereof, but more particularly to those of Charles County aforesaid, and humbly submit the whole to the Consideration of the honorable House

Signed by Order Henry Gassaway Cl: Com

Which Report was read and Concurred with.

Mr. E. Tilghman brought in and delivered to M.<sup>r</sup> Speaker the following Report

By the Committee of Grievances and Courts of Justice.

Your Committee beg Leave to Report, that upon Complaint of several of the People of Prince Georges County, of excessive Charges of Fees upon Resurveys of Lands, did inspect several Plots which were laid before them, and were of Opinion, the Fees were charged in a Manner not to be supported by the Table of Fees established by Law, but the Cases being very complicated, and the Application made late in the Session, your Committee thought it would be proper to refer the Matter for full Consideration, to the next Session of Assembly: And as your Committee, from what has appeared to them in the Course of their Enquiries this Session, from the Diversity in the Manner of charging County Clerks, and Surveyors Fees, and from general Report, cannot but be of Opinion, that the Officers of this Province in general, pay too little Regard to the Regulation established by Law, in charging their Fees, humbly submit it to the Consideration of the House, whether it would not be proper for the Members of the respective Counties, to examine in their several Counties, as far as they can, into the Charges made by the several Officers, and bring such Accounts as, to them, may seem exorbitant, to the next Session, for Examination and full Consideration.

Your Committee beg Leave further to Report, that they did inspect several Letters laid before them, from Saint Marys County, relative to some irregular Conduct of a Popish Priest there, but the Letters being long, and the Session drawing near a Conclusion, your Committee were of Opinion, the full Consideration of that Matter also would be well to be referred for a more full Examination than the

present severe Season will admit of. All which is humbly submitted to the Consideration of your honorable House.

L. H. J.  
Liber No. 54  
Dec. 19

Signed by Order Henry Gassaway Cl : Com

Which was read, and referred to the Consideration of the next Session of Assembly. p. 44

The engrossed Bill, entitled, An Act for the Relief of certain languishing Prisoners in the several Jails therein mentioned; read and assented to, and, with the Paper Bill thereof, sent to the Upper House by M.<sup>r</sup> Beall, and M.<sup>r</sup> Buchanan

The engrossed Bills, entitled, An Act to repeal Part of an Act to encourage the destroying of Wolves, Crows, and Squirrels

An Act to appropriate the Half Acre of Ground therein mentioned to the use of the public School in Frederick County

A Supplementary Act to the Act, entitled, An Act ascertaining the Height of Fences, &c.<sup>a</sup> And

An Act for the speedy and effectual Publication of the Laws of this Province and for the Encouragement of Ann Catharine Green of the City of Annapolis, Printer; were, with the Paper Bills thereof, sent to the Upper House by M.<sup>r</sup> Beall, and M.<sup>r</sup> Buchanan.

The Bill, entitled, An Act for imposing a further additional Duty of Ten Pounds [current money] per Poll on all Negroes imported into this Province, sent to the Upper House by M.<sup>r</sup> Hayward and M.<sup>r</sup> Contee.

The Bill, entitled, An Act to aid the Navigation on the River Patowmack, sent to the Upper House by M.<sup>r</sup> Johnson and M.<sup>r</sup> Lockett

The Bill, entitled, An Act for preventing the Evil occasioned by the continuance of Suits at Law on suggestion of Want of Evidence from beyond Sea; read the Second Time and will pass. Sent to the Upper House by M.<sup>r</sup> Paca, and M.<sup>r</sup> Dickinson.

The Governor communicated to M.<sup>r</sup> Speaker the following Message.

December 19.<sup>th</sup> 1769

Gentlemen,

Your Address of the Morning contains an heavy Charge against M.<sup>r</sup> Lee the Sheriff of Charles County: Be assured that I shall immediately proceed to make a full and strict Enquiry on the Subject; for as, on the one Hand, Officers who faithfully discharge their Duty are entitled to my Protection; so, on the other, I shall ever think it incumbent on me to give the greatest Discountenance to those who do not

Rob.<sup>t</sup> Eden

L. H. J. William Fitzhugh Esq from the Upper House delivered to M.<sup>r</sup>  
 Liber No. 54 Speaker the several Paper Bills sent up this Day by Mess.<sup>rs</sup> Beall,  
 Dec. 19 and Buchanan: Which were thus severally indorsed: “By the Upper  
 House of Assembly Dec.<sup>r</sup> 19.<sup>th</sup> 1769. The engrossed Bill, whereof  
 this is the Original, Read and assented to.

Signed by Order, U Scott Cl: Up: Ho:”

p. 45 The Bill, entitled, An Act for the building of a Parish Church  
 in Christ’s Church Parish in Calvert County, read the Second Time,  
 and will pass. Sent to the Upper House by M.<sup>r</sup> Mackall and M.<sup>r</sup>  
 Grahame.

The Bill, entitled, An Additional Supplementary Act to the Act,  
 entitled, An Act to prevent the abuses of concealing convicted Felons,  
 and other Offenders imported into this Province, and for the better  
 Discovery of them; read the Second Time and will pass. Sent to the  
 Upper House by M.<sup>r</sup> Beall and M.<sup>r</sup> Harrison

The Bill, entitled, An Act for enforcing the Payment of public  
 Monies, and the Amendment proposed thereto by the Upper House;  
 were read, and the said Amendment taken into Consideration; and  
 after some Debate thereon, the same was rejected.

Ordered, That an Address be prepared to his Excellency, to put  
 the Sheriffs Bonds in Suit, for not paying in the Monies by them  
 received in Virtue of the Ordinary License Law, and that M.<sup>r</sup> E.  
 Tilghman, M.<sup>r</sup> Ringgold, M.<sup>r</sup> Chase, and M.<sup>r</sup> Johnson, do prepare,  
 and bring in, the same.

Resolved, That the honorable Speaker, Mess.<sup>rs</sup> E. Tilghman, M.  
 Tilghman, Thomas Ringgold, Thomas Johnson jun.<sup>r</sup> and John Hall,  
 be a Committee to correspond in the Recess of Assembly, with  
 Charles Garth Esq our Agent, for conducting, and managing the  
 Dispute between the Lord Proprietary, and the People of this  
 Province.

William Fitzhugh Esq, from the Upper House, delivered to M.<sup>r</sup>  
 Speaker the Bill, entitled, An Act for the building of a Parish Church  
 in Christ’s Church Parish in Calvert County; endorsed: “By the  
 Upper House of Assembly Dec.<sup>r</sup> 19.<sup>th</sup> 1769: Read the First and  
 Second Time by an especial Order, and will pass.

Signed by Order U Scott Cl: Up: Ho:”

Which was read and passed for engrossing.

Also the Bill, entitled, An Act for imposing a further additional  
 Duty of Ten Pounds Current Money per Poll on all Negroes im-  
 ported into this Province; endorsed: “By the Upper House of  
 Assembly Dec.<sup>r</sup> 19.<sup>th</sup> 1769. Read the First and Second Time by an  
 especial Order and will not pass.

Signed by Order U Scott Cl: Up: Ho:”



And the Bill, entitled, An Act for preventing the Evil occasioned by the Continuance of Suits at Law on Suggestion of Want of Evidence from beyond the Sea; endorsed: "By the Upper House of Assembly Dec.<sup>r</sup> 19.<sup>th</sup> 1769: Read the First and Second Time by an especial Order, and will pass with the following Amendments. After the Word 'continued' in the Eighth Line from the Top, insert the following Words, viz. 'on Suggestion.' Strike out the Second enacting Clause.

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Signed by Order, U Scott Cl: Up: Ho:."

The amendments were agreed to, and the Bill ordered to be engrossed.

The engrossed Bill, entitled, An Act for the building of a Parish Church in Christ's Church Parish in Calvert County; Read and assented to, and with the Paper Bill thereof, sent to the Upper House by M.<sup>r</sup> Gantt and M.<sup>r</sup> Mackall

John Beall Bordley Esq, from the Upper House, delivered to M.<sup>r</sup> Speaker the Bill, entitled, An additional Supplementary Act to the Act, entitled, An Act to prevent the Abuses of concealing convicted Felons, and other Offenders imported into this Province, and for the better Discovery of them; endorsed: "By the Upper House of Assembly Dec.<sup>r</sup> 19.<sup>th</sup> 1769. Read the First Time and ordered to lie on the Table. p. 46

Signed by Order U Scott Cl: Up: Ho:."

"By the Upper House of Assembly Dec.<sup>r</sup> 19.<sup>th</sup> 1769: Read the Second Time by an especial Order and will pass, with the following Amendment, viz. Strike out the Third enacting Clause.

Signed by Order U Scott Cl: Up: Ho:."

Which Amendment was agreed to, and the Bill ordered to be engrossed.

The Remonstrance of the Justices of Ann Arundel County, read the Second Time, and referred to the Consideration of the next Session of Assembly.

The Petition of William Reynolds read the Second Time and referred to the Consideration of the next Session of Assembly.

M.<sup>r</sup> Tyler brought in, and delivered to M.<sup>r</sup> Speaker, the following Report

By the Committee appointed to examine into the State of the several public Offices, at November Sessions 1769.

Your Committee having examined the State and Condition of the said Offices, do find the Books in the several Offices, nearly in the same Order as at the Time of the Two last Reports in Seventeen Hundred and Sixty six, and Seventeen Hundred and Sixty eight

The general Alphabet in the Land Office rather more worn and

L. H. J. defaced than heretofore, from frequent using the same, and in a  
 Liber No. 54 very short Time, unless Copied at the Expence of the Public or the  
 Dec. 19 Judges, your Committee fear said Alphabet will become quite un-  
 intelligible in many Parts thereof, to the great Injury and Loss of  
 many of the Inhabitants of this Province.

Your Committee find that the Treasurers Accounts in the Assembly  
 Office have not been recorded since the Year Seventeen Hundred and  
 Sixty. Your Committee also find divers old Books in the Commis-  
 sarys Office in very bad Condition, the Binding torn off, and several  
 Half Sheets loose. And that many Books which contain Wills and  
 Inventories prior to the Year Seventeen hundred and Sixty four, do  
 not appear to be examined, and are very incorrect agreeable to former  
 Reports. And that a Bundle of Accounts exhibited in Seventeen  
 Hundred and Fifty nine, and Seventeen Hundred and Sixty, is not  
 recorded

p. 47 Your Committee must observe, that the Books and Papers in this  
 Office appear to be well taken Care of. And your Committee beg  
 Leave to inform your honorable House, that having had Informa-  
 tion that a Record in the Land Office, of a Tract of Land, called  
 Marshalls Addition, granted unto a certain Isaac Marshall, of  
 Worcester County, had been altered, immediately made Enquiry  
 into the Matter, and found that such Information was true, being  
 told by a young Lad named John Callahan, who writes in said Office,  
 and who made such Alteration, that a certain James Rounds, a  
 Deputy Surveyor of Worcester County, some Time in the Month  
 of October last, came to the Office and got him to show him the  
 Record of said Land; that the said James Rounds, after looking at  
 said Record, told him the said Callahan, that there was a Mistake  
 in the First Course of the Land, and desired he, the said Callahan,  
 would alter it so as to make it agree with what the said Rounds  
 called his Field Book, which, the said Callahan says, he at First  
 refused, thinking it wrong, but by turning to the original Certificate  
 in the Office, and finding the First Course upon the Plat agreeing  
 with the Alteration proposed by the said Rounds, he was induced  
 to believe there might be a Mistake, and did, after much Solicitation  
 and Persuasion of him the said Rounds, alter the said Record; for  
 doing which, the said Rounds gave him Five Dollars. A List of  
 Books in the said Offices is hereunto annexed. All which is humbly  
 submitted to the Consideration of the Honorable House.

Signed p Order Ralph Dobinson Cl: Com

Which Report was read, and referred to the Consideration of the  
 next Session of Assembly.

A List of Record Books now being in, and belonging to the Com-  
 missarys Office taken this Day of

Titles.	Dates.	Contents.	L. H. J. Liber No. 54 Dec. 19
N.º 2 P.C. ....	1657 .....	Testamentary Proceed- ings, Wills, Invento- ries, & Accounts Wills Transcribed. All bound in one Book the same	
3 .....	1658 & 9.....		
4 M .....	1660, 1, & 2.....		
5 .....	1662 & 3.....		
6 .....	1664 & 5.....		
7 .....	1665 & 6.....		
8 .....	1666, 7, & 8.....		
9 HH .....	1668 & 9.....	Ditto	
N.º 6 .....	1670 to 73.....	Ditto	
N.º 10 SS .....	1670 to 74.....	Testamentary Proceedings	
12 .....	1674 to 78.....		
13 .....	1675 .....	Ditto & Wills transcribed	
14 .....	1676 .....	Testamentary Proceedings	
15 .....	1677 .....	Ditto Inven: & Acc. <sup>ts</sup> 1703 & 4	
16 .....	1678 .....		
17 .....	1679 .....	Testamentary Proceedings	
18 .....	1680 .....	Ditto	
20 .....	1682 .....	Ditto	
21 .....	1682 to 87.....		
22 .....	1687 to 89.....	Ditto	
E .....	1692 .....		
P.C. N.º 6.....	1673 to 75.....	Wills, Inventories, Acc. <sup>ts</sup> and Wills transcribed.	
N.º 23 .....	1692 to 94.....		
23 KC .....	1695 to 97.....	Testamentary Proceedings	
24 KC. ....	1695 to 97.....	Ditto	
25 K.C. ....	1697 to 99.....	Ditto	
26 .....	1699 to 1701.....	Ditto	
10 W. ....	1701 to 1707.....	Ditto	
BD. ....	1703 .....	Ditto	
N.º 5 I.C. ....	1708 to 11.....	Ditto	
8 W.B. ....	1711 to 15.....	Ditto	
9 WB. ....	1715 to 19.....	Ditto	
1 T.B. ....	1719 to 21.....	Ditto	
N.º 9 IB. ....	1721 .....	Ditto	
4 AD. ....	1722 & 3.....	Ditto	
5 GP .....	1724 to 27.....	Ditto	
6 G.P. ....	1727 to 30.....	Ditto	
7 IG. ....	1730 to 34.....	Ditto	
8 I.G. ....	1734 to 38.....	Ditto	
N.º 1 W.R. ....	1739 to 46.....	Testamentary Proceedings	
W.R. N.º 2.....	1746 to 49.....	Ditto	
RD N.º 1.....	1749 to 50.....	Ditto	
RD. N.º 2.....	1750 to 51.....	Ditto	

L. H. J. Liber No. 54 Dec. 19	Titles.	Dates.	Contents.
	RD. N.º 3.....	1751 & 52.....	Ditto
	MM. 1.....	1752 & 3.....	Ditto
	MM. 2.....	1753 to 58.....	Ditto
	MM. 3.....	1758 to 60.....	Ditto
	I.D. 1.....	1761 .....	Ditto
	N.º 1.....	1635 to 74.....	Wills
	2.....	1674 to 1704.....	Containing the remaining part of the Wills tran- scribed. Wills, Inven- tories and Acco. <sup>ts</sup> 1703 & 4
	N.º A.....	1676 & 7.....	
	N.º a.....	1670 .....	All sorts of Testamentary Proceedings & Wills, transcribed into N.º 1
	b.....	1678 .....	
	c.....	1679 .....	Wills
p. 48	20 D. ....	1680 .....	Wills
	E. ....	1681 .....	Four small Books of Wills transcribed into N.º 2
	F. ....	1682 .....	
	I.K.C. ....	1693 & 4.....	Wills
	G .....	1692 to 8.....	
		1688 & 9.....	Wills
		1698 & 99.....	
	N.º H & L.....	1692, 93 & 1700...	
	K .....	1695 to 98.....	Ditto
	T.B. ....	1701, 2 & 3.....	Ditto
	T.B. ....	same Book .....	Transcribed
	T.B. N.º 2.....	1704 to 6.....	Wills, Invent. <sup>ys</sup> & Acco. <sup>ts</sup>
	I.C. ....	1706, 7, 8, & 9....	Wills, Two Books
	WB. N.º 2.....	1709 .....	
	W.B. .. 5.....	1710 to 14.....	Wills
	WB. .. 6.....	1714 to 18.....	Ditto
	T.B. .. 1.....	1718 to 19.....	Ditto
	T.B. .. 5.....	1720 to 21.....	Ditto
	A & D.. 2.....	1721 to 22.....	Ditto
	WB .. 1.....	1723 to 26.....	Ditto
	C.C. .. 2.....	1726 to 30.....	Ditto
	C.C. .. 3.....	1730 to 34.....	Ditto
	T. & D .....	1734 to 38.....	Ditto
	D.D. .. 1.....	1738 to 42.....	Ditto
	D.D. .. 2.....	1742 to 44.....	Ditto
	D.D. .. 3.....	1744 to 46.....	Ditto
	D.D. .. 4.....	1746 to 48.....	Ditto
	D.D. .. 5.....	1748 .....	Ditto
	D.D. .. 6.....	1749 to 51.....	Ditto



Titles.	Dates.	Contents.	L. H. J. Liber No. 54 Dec. 19
D.D. .. 7.....	1751 to 54.....	{ Ditto. This Book & DD N.º 5. are in one Book	
B.T. .. 1.....	1754 to 56.....	Ditto	
B.T. .. 2.....	1756 to 60.....	Ditto	
D.D. .. 1.....	1760 .....	Ditto	
		A General Alphabet for the Books of Wills	
N.º 1 .....	1674, 5, & 1703....	Inventories & Accounts	
2 .....	1676 .....	Ditto	
3 .....	1676 & 77.....	Ditto	
4 .....	1677 .....	Ditto	
5 .....	1678 .....	Ditto	
6 .....	1679 .....	Ditto	
7 .....	1680 .....	{ Ditto. Three Books bound together	
8 .....	1681 .....		
9 .....	1682 .....		
10 .....	1682 to 86.....	Ditto	
11 .....	1686 to 88.....	Ditto	
12 .....	1688 to 89.....	{ Ditto	
L .....	1692 .....		
I.B. N.º C.....	1690, 1, 2 & 1700..	{ Inventories & Accounts, and all sorts of Testa- ment.º Proceedings	
K.C. N.º 13.....	1693 & 4.....	Inventories & Accounts	
K.C. ... 14.....	1694 & 5.....	{ Ditto } Two Books bound together	
K.C. ... 15.....	1695 & 96.....		
	16.....	Ditto	
	17.....	Ditto	
K.C. ... 18.....	1698 .....	Ditto	
	19.....	Ditto	
	20.....	Ditto	
	21.....	Ditto	
	57.....	{ Ditto } Two Books bound together	
W.T. ....	1700 & 1701.....	Ditto	
T. ....	1701 & 1702.....	Ditto	
W.T. ....	1702 & 1703.....	Ditto	
W.T. N.º 1.....	1703 .....	Ditto	
W.T. ... 2.....	1703 & 4.....	Ditto	
B.C. ... 3.....	1705 & 6.....	Ditto	
I.C. ... 2.....	1706 .....	Ditto	
IC. ... 3.....	1707 .....	Ditto	
I.C. ... 4.....	1708 .....	Ditto	
W.B. ... 1.....	1708 & 9.....	Ditto	
WB. ... 3.....	1709 & 10.....	Ditto	
WB. ... 4.....	1709 & 10.....	Ditto	

L. H. J. Liber No. 54 Dec. 19	Titles.	Dates.	Contents.
	WB. ... 6.....	1710 & 11.....	{ Ditto. } Three Books bound together
	WB. ... 7&8...		
	WB. ... 9.....		
	WB. ... 10.....	1711 & 12.....	Ditto. In Two Ditto
	WB. ... 11.....		
	WB. ... 12.....	1713 .....	Ditto
	WB. ... 13.....	1713 & 14.....	{ Ditto. } In Two Books bound together
	WB. ... 14.....		
	WB. ... 15.....	1714 & 15.....	Ditto. In Three Ditto Ditto
	WB. ... 16.....		
	WB. ... 17.....	1716 & 17.....	Ditto. In Two Ditto Ditto
	WB. ... 19.....		
	WB. ... 20.....	1716 & 17.....	Ditto. In Three Ditto Ditto
	WB. ... 18.....		
	WB. ... 21.....	1717 & 18.....	Ditto. In Three Ditto Ditto
	WB. ... 22.....		
	WB. ... 23.....	1717 & 18.....	Ditto. In Three Ditto Ditto
	WB. ... 24.....		
	WB. ... 25.....	1718 .....	Inventories
	T.B. ... 1.....		
	T.B. ... 3.....	1719 .....	Ditto
	T.B. ... 4.....	1719 & 20.....	Ditto
	T.B. ... 7.....	1720 .....	Ditto
	T.B. ... 8.....	1721 .....	Ditto
	WH. ... 1.....	1721 .....	Ditto
	AD. ... 3.....	1722 .....	Ditto
	WB. ... 3.....	1723 & 4.....	Ditto
	B.H.A.D. 4.....	1723 & 4.....	Ditto
	BH.AD. 5.....	1724 .....	Ditto
	BH.A. . 6.....	1725, 6, & 7.....	Ditto
	C.C. ... 7.....	1727 .....	Ditto
	EH.C. .. 8.....	1728 & 9.....	Ditto
	E.H.C. .. 9.....	1729 .....	Ditto
	E.H.C. .. 10.....	1729 & 30.....	Ditto
	C.C. ... 11.....	1730 to 32.....	Ditto
	C.C. ... 12.....	1732 to 34.....	Ditto
	T. & D... 1.....	1734 .....	Ditto
	T. & D... 2.....	1734 .....	Ditto
	DD. ... 1.....	1734 & 5.....	Ditto
	DD. ... 2.....	1735 & 6.....	Ditto
	DD. ... 3.....	1736 & 7.....	Ditto
	DD. ... 4.....	1737 & 8.....	Ditto
	DD. ... 5.....	1739 .....	Ditto
	DD. ... 6.....	1740 & 41.....	Ditto
	DD. ... 7.....	1741 & 42.....	Ditto

Titles.	Dates.	Contents.
D.D. ... 8.....	1742 & 43.....	Ditto
DD. ... 9.....	1743 & 44.....	Ditto
DD. ... 10.....	1744 .....	Ditto
DD. ... 11.....	1744 & 45.....	Ditto
DD. ... 12.....	1745 .....	Ditto
DD. ... 13.....	1745 & 46.....	Ditto
D.D. ... 14.....	1746 .....	Ditto
D.D. ... 15.....	1746 & 47.....	Ditto
DD. ... 16.....	1747 & 48.....	Ditto
DD. ... 17.....	1748 .....	Ditto
DD. ... 18.....	1748 & 49.....	Ditto
DD. ... 19.....	1749 .....	Ditto
DD. ... 20.....	1749 .....	Ditto
DD. ... 21.....	1749 .....	Ditto
DD. ... 22.....	1749 & 50.....	Ditto
DD. ... 23.....	1750 .....	Ditto
DD. ... 24.....	1750 .....	Ditto
DD. ... 25.....	1750 .....	Ditto
DD. ... 26.....	1751 .....	Ditto
DD. ... 27.....	1751 .....	Ditto
DD. ... 28.....	1751 .....	Ditto
DD. ... 29.....	1751 & 2.....	Ditto
DD. ... 30.....	1752 .....	Ditto
DD. ... 31.....	1752 .....	Ditto
DD. ... 32.....	1752 .....	Ditto
DD. ... 34.....	1752 & 3.....	Ditto
DD. ... 35.....	1753 .....	Ditto
DD. ... 36.....	1753 .....	Ditto
DD. ... 37.....	1753 .....	Ditto
BT. ... 1.....	1754 .....	Ditto
BT. ... 2.....	1754 & 5.....	Ditto
BT. & DD. 1.....	1755 .....	Ditto
B.T. & DD. 2.....	1756 .....	Ditto
B.T. ... 1.....	1757 .....	Ditto
B.T. ... 2.....	1757 .....	Ditto
B.T. ... 3.....	1757 .....	Ditto
B.T. ... 4.....	1758 .....	Ditto
B.T. ... 5.....	1758 & 9.....	Ditto
DD. ... 1.....	1759 .....	Ditto
DD. ... 2.....	1759 .....	Ditto
DD. ... 3.....	1759 .....	Ditto
DD. ... 4.....	1759 & 60.....	Ditto
DD. N.º .H.....	1761 .....	Ditto
DD. ....B.....	1761 & part of 60...	Ditto
DD. ....C.....	1761 .....	Ditto

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L. H. J. Liber No. 54 Dec. 19	Titles.	Dates.	Contents.
DD. ....	D.....	1761 .....	Ditto
IR. ....	1.....	1761 .....	Ditto
IR. ....	2.....	1761 .....	Ditto
IR. ....	3.....	1761 .....	Ditto
T.B. ...	2.....	1718 .....	Accounts
T.B. ...	4.....	1719 .....	Ditto
T.B. ...	6.....	1720 & 21.....	Ditto
AD. ....	1.....	1721, 2, & 3.....	Ditto
WB ....	2.....	1723 & 24.....	Ditto
BH.A.D. 3.....	1724 & 25.....		Ditto
BH.A. ..	4.....	1725 & 26.....	Ditto
BH.A. ..	5.....	1726 & 27.....	Ditto
EHC. ..	6.....	1728 & 9.....	Ditto
EHC. ..	7.....	1729, 30, & 31....	Ditto
CC. ....	8.....	1731 to 33.....	Ditto
CC. ....	9.....	1733 to 34.....	Ditto
DD. ....	1.....	1735 .....	Ditto
DD. ....	2.....	1735 to 37.....	Ditto
DD. ....	3.....	1736 to 37.....	Ditto
DD. ....	4.....	1737 to 38.....	Ditto
DD. ....	5.....	1739 .....	Ditto
D.D. ...	6.....	1740 to 42.....	Ditto
DD. ....	7.....	1742 to 43.....	Ditto
DD. ....	8.....	1743 to 44.....	Ditto
DD. ....	9.....	1744 to 45.....	Ditto
DD. ....	10.....	1745 to 46.....	Ditto
DD. ....	11.....	1746 to 47.....	Ditto
DD. ....	12.....	1747 to 48.....	Ditto
DD. ....	13.....	1748 .....	Ditto
DD. ....	14.....	1748 & 9.....	Ditto
DD. ....	15.....	1749 & 50.....	Ditto
DD. ....	16.....	1750 .....	Ditto
DD. ....	17.....	1750 .....	Ditto
DD. ....	18.....	1751 .....	Ditto
DD. ....	19.....	1751 .....	Ditto
DD. ....	20.....	1751 & 52.....	Ditto
DD. ....	21.....	1752 .....	Ditto
DD. ....	22.....	1753 .....	Ditto
DD. ....	23.....	1753 .....	Ditto
BT. ....	1.....	1754 .....	Ditto
BT. & DD. 1.....	1755 .....		Ditto
B.T. & DD. 2.....	1755 .....		Ditto
B.T. .N.º 2.....	1756 .....		Ditto
BT. ....	3.....	1756 .....	Ditto
BT. ....	4.....	1757 .....	Ditto



Titles.	Dates.	Contents.	L. H. J. Liber No. 54 Dec. 19
B.T. .... 5.....	1758	Ditto	
DD. .... 1.....	1759	Ditto	
DD. .... 2.....	1759 & 60.	Ditto	
DD.N.A.....	1761	Ditto	
IR. .... 1.....	1762	Ditto	
SB. .... 1.....	1764	Wills.....	begun 6. <sup>th</sup> May
SB. .... 1.....	1762	Inventories	
SB. .... 2.....	1762	Ditto	
SB. .... 3.....	1763	Ditto	
SB. .... 4.....	1763	Ditto	
SB. .... 5.....	1763	Ditto	
SB. .... 6.....	1764	Ditto	
SB. .... 7.....	1764	Ditto	
SB. .... 8.....	1764	Ditto	
SB. .. 1 & 2.....	1762	Accounts	
SB. .... 3.....	1763	Ditto	
SB. .... 4.....	1764	Ditto	
SB. .... 5.....	1764	Ditto	
ID. .... 2.....	1762 & 3.....	Testamentary Proceedings	
GM. .... 1.....	1764	Ditto	
SB. .... 9.....	1764	Inventories	
CG. .... 1.....	1765	Ditto	
C.G. .... 2.....			
C.G. .... 3.....			
CG. .... 1.....	1765	Accounts	
CG. .... 2.....			
CG. .... 3.....			
C.G. .... 1.....	1765	Wills	
E.V. .... 1.....	1765	Testamentary Proceedings	
C.G. .... 2.....	1766 & 7.....	Wills	
C.G. .... 3.....			
C.G. .... 4.....			
C.G. .... 5.....	1766 & 7.....	Inventories	
C.G. .... 6.....			
C.G. .... 7.....			
C.G. .... 4.....	1766 & 7.....	Accounts	
C.G. .... 5.....			
W.D. .... 1.....		Wills	
W.D. 1, 2, & 3.....		Accounts	
W.D. 1, 2, 3, 4, & 5.....		Inventories	
W.D. .... 2.....		Wills	
W.D. 4 & 5.....		Accounts	
W.D. 6, 7, 8, 9, & 10.....		Inventories	
E. N. 2 & 3.....		Testamentary Proceedings	

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 Liber No. 54 Maryland, and delivered to the Committee, November 1769  
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Libers.	N. <sup>o</sup>	Contents.
Liber . . . . .	1 . . . . .	Pat. <sup>ts</sup> Cert. <sup>s</sup> & Pet. <sup>ns</sup>
Liber . . . . .	2 . . . . .	Pat. <sup>s</sup>
Liber . . . . .	3 . . . . .	{ Pat. <sup>s</sup> , Cert. <sup>s</sup> , Assembly & Court Proceed. <sup>gs</sup>
Liber A.B & H. . . . .		Pat. <sup>s</sup>
Liber 2 . . . . .		{ Pat. <sup>s</sup> Cert. <sup>s</sup> Warr. <sup>ts</sup> & Ass. <sup>ts</sup> for 1658
Liber . . . . .	4 . . . . .	Ditto. Ditto
Liber . . . . .	5 . . . . .	Pat. <sup>s</sup> & Cert. <sup>s</sup>
Liber . . . . .	6 . . . . .	Pat. <sup>s</sup> , Cert. <sup>s</sup> , Warr. <sup>ts</sup> & Ass. <sup>ts</sup>
Liber . . . . .	7 . . . . .	Pat. <sup>s</sup> Cert. <sup>s</sup> & Warr. <sup>ts</sup>
Liber . . . . .	8 . . . . .	Pat. <sup>s</sup> Cert. <sup>s</sup> , Warr. <sup>ts</sup> & Ass. <sup>ts</sup>
Liber . . . . .	9 . . . . .	Ditto. Ditto
Liber . . . . .	10 . . . . .	Ditto. Ditto
Liber . . . . .	11 . . . . .	Ditto. Ditto
Liber . . . . .	12 . . . . .	Pat. <sup>s</sup> & Cert. <sup>s</sup>
Liber . . . . .	13 . . . . .	Pat. <sup>s</sup> Cert. <sup>s</sup> Warr. <sup>ts</sup> & Ass. <sup>ts</sup>
Liber . . . . .	14 . . . . .	Ditto. Ditto Ditto
Liber . . . . .	15 . . . . .	Ditto. Ditto
Liber . . . . .	16 . . . . .	Ditto. Ditto
Liber . . . . .	17 . . . . .	Ditto. Ditto
Liber . . . . .	18 . . . . .	Ditto. Ditto
Liber . . . . .	19 . . . . .	Ditto. Ditto
Liber . . . . .	20 . . . . .	Ditto. Ditto
Liber . . . . .	21 . . . . .	Ditto. Ditto
Liber . . . . .	22 . . . . .	Ditto. Ditto
Liber . . . . .	23 . . . . .	Ditto. Ditto
Liber CB. . . . .	2 . . . . . 1 . . . . .	Pat. <sup>s</sup> from 1680 to 82
Liber CB. . . . .	3 . . . . . 2 . . . . .	Pat. <sup>s</sup>
Liber I.B. . . . .	c . . . . . 3 . . . . .	Ditto
Liber SB. [S.D?] . . . . .	a . . . . . 4 . . . . .	Ditto
Liber N.S. . . . .	b . . . . . 5 . . . . .	Ditto
Liber N.S. . . . .	2 . . . . . 6 . . . . .	Ditto
Liber W.D. . . . .	7 . . . . .	Ditto
Liber D.S. . . . .	F . . . . . 8 . . . . .	Warr. <sup>ts</sup> and Ass. <sup>ts</sup>
Liber P.L. . . . .	2 . . . . . 9 . . . . .	Pat. <sup>s</sup>
Liber P.L. . . . .	3 . . . . .	Ditto
Liber RY. . . . .	1 . . . . . 11 . . . . .	Ditto
Liber P.L. . . . .	4 . . . . . 12 . . . . .	Ditto
Liber CE . . . . .	1 . . . . . 13 . . . . .	Ditto
Liber P.L. . . . .	5 . . . . . 14 . . . . .	Ditto
Liber P.L. . . . .	6 . . . . . 15 . . . . .	Ditto

Libers.	N. <sup>o</sup>	Contents.
Liber P.L. ....	7 ..... 16...	Ditto
Liber P.L. ....	8 ..... 17...	Ditto
Liber I.L. ....	a ..... 18...	Cert. <sup>s</sup> and Ass. <sup>ts</sup>
Liber I.L. ....	b ..... 19...	Ditto
Liber AM .....	..... 20...	Ditto
Liber E.I. ....	1 ..... 21...	Pat. <sup>s</sup>
Liber E.I. ....	2 ..... 22...	Ditto
Liber E.I. ....	3 ..... 23...	Cert. <sup>s</sup> and Ass. <sup>ts</sup>
Liber E.I. ....	4 ..... 24...	Pat. <sup>s</sup>
Liber E.I. ....	5 ..... 25...	Cert. <sup>s</sup>
Liber E.I. ....	6 ..... 26...	Pat. <sup>s</sup>
Liber LG .....	C ..... 27...	Pat. <sup>s</sup> Cert. <sup>s</sup> & Ass. <sup>ts</sup>
Liber LG .....	E ..... 28...	Cert. <sup>s</sup> & Ass. <sup>ts</sup>
Liber LG .....	B ..... 29...	Pat. <sup>s</sup>
Liber P.T. ....	1 ..... 30...	Ditto
Liber P.T. ....	2 ..... 31...	Ditto
Liber P.T.B.Y. ....	3 ..... 32...	Ditto
Liber T.I. ....	1 ..... 33...	Pat. <sup>s</sup> & Cert. <sup>s</sup>
Liber T.I. ....	3 ..... 34...	Ditto
Liber T.I. ....	4 ..... 35...	Ditto
Liber BY & GS. ...	1 ..... 36...	Cert. <sup>s</sup> & Ass. <sup>ts</sup>
Liber BY & GS. ...	2 ..... 37...	Pat. <sup>s</sup>
Liber B.Y. & GS. ...	3 ..... 38...	Ditto
Liber B.Y. & GS. ...	4 ..... 39...	Ditto
Liber B.Y. & GS. ...	5 ..... 40...	Cert. <sup>s</sup> & Ass. <sup>ts</sup>
Liber Y & S. ....	8 ..... 41...	Pat. <sup>s</sup>
Liber Y. & S. ....	6 ..... 42...	Ditto
Liber Y. & S. ....	7 ..... 43...	Cert. <sup>s</sup>
Liber GS. ....	1 ..... 44...	Ditto
Liber G.S. ....	2 ..... 45...	Pat. <sup>s</sup>
Liber B.B. ....	3 ..... ..	Ditto & Cert. <sup>s</sup>
Liber C.C. ....	4 ..... ..	Ditto Ditto
Liber C.D. ....	..... ..	Ditto Ditto
Liber C. ....	3 ..... ..	Ditto Ditto
Liber DD. ....	5 ..... ..	Cert. <sup>s</sup> & Ass. <sup>ts</sup>
Liber EE ....	6 ..... ..	Pat. <sup>s</sup> & Cert. <sup>s</sup>
Liber F.F. ....	7 ..... ..	Ditto & Ditto
Liber BB. ....	..... ..	Warr. <sup>ts</sup> & Ass. <sup>ts</sup>
Liber BB. ....	..... ..	Ditto Ditto
Liber C.C. ....	..... ..	Ditto Ditto
Liber P.T. ....	3 ..... ..	Ditto & Ditto
Liber W.C. ....	2 ..... ..	Ditto & Ditto
Liber WC .....	4 ..... ..	Ditto & Ditto
Liber a. ....	..... ..	Ditto
Liber a. ....	a ..... ..	Ditto

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L. H. J.	Libers.	N.º	Contents.
Liber No. 54	Liber C.C. ....		Ditto
Dec. 19	Liber EE ..... 6		Warr. <sup>ts</sup>
	Liber F.F. ....		Ditto
	Liber LG ..... a		Ditto
	Liber L.G. .... D		Ditto
	Liber T.I. .... 5		Ditto
	Liber T.I. .... 6		Ditto
	Liber T.I. .... 7		Ditto
	Liber T.I. .... 8		Ditto
	Liber T.I. .... 9		Ditto
	Liber T.I. .... 10		Ditto
	Liber T.I. .... 11		Ditto
	Liber T.I. .... 12		Ditto
	Liber BC & GS. ... 1		Cert. <sup>s</sup> & Ass. <sup>ts</sup>
	Liber BC. & GS. ... 2		Pat. <sup>s</sup>
	Liber BC & GS. ... 3		Ditto
	Liber BC & GS. ... 4		Cert. <sup>s</sup>
	Liber BC & GS. ... 5		Cert. <sup>s</sup> & Ass. <sup>ts</sup>
	Liber BC & GS. ... 6		Pat. <sup>s</sup>
	Liber BC & GS. ... 7		Ditto
	Liber BC & GS. ... 8		Ditto
	Liber BC & GS. ... 9		Cert. <sup>s</sup>
	Liber BC & GS. ... 10		
	Liber BC & GS. ... 11		
	Liber BC & GS. ... 12		
	Liber BC & GS. ... 13		
	Liber BC & GS. ... 14		
	Liber BC & GS. ... 15		
	Liber BC & GS. ... 16		
	Liber B.C & GS. ... 17		
	Liber BC & GS. ... 18		
	Liber BC & GS. ... 19		
	Liber BC & GS. ... 20		
	Liber BC & GS. ... 21		
	Liber BC & GS. ... 22		
	Liber BC & GS. ... 23		
	Liber BC & GS. ... 24		
	Liber BC & GS. ... 25		
p. 51	Liber BC & GS. ... 26		
	Liber BC & GS. ... 27		
	Liber BC & GS. ... 28		
	Liber BC & GS. ... 29		
	Liber BC & GS. ... 30		
	Liber BC & GS. ... 31		
	Liber BC & GS. ... 32		Pat. <sup>s</sup>
	Liber BC & GS. ... 33		Ditto



Libers.	N. <sup>o</sup>	Contents.
Liber BC & GS. ...	34	Cert. <sup>s</sup> & Ass. <sup>ts</sup>
Liber BC & GS. ...	35	Pat. <sup>s</sup>
Liber BC & GS. ...	36	Ditto
Liber BC & GS. ...	37	Cert. <sup>s</sup> & Ass. <sup>ts</sup>
Liber BC & GS. ...	38	Pat. <sup>s</sup>
Liber W.S. ....	1	Warr. <sup>ts</sup> & Ass. <sup>ts</sup>
Liber WS. ....	2	Ditto
Liber WS. ....	3	Ditto
Liber W.S. ....	4	Ditto
Liber W.S. ....	5	Ditto
Liber W.S. ....	6	Ditto
Liber W.S. ....	7	Ditto
Liber W.S. ....	8	Ditto
Liber W.S. ....	9	Ditto
Liber W.S. ....	10	Ditto
Liber WS. ....	11	Ditto
Liber W.S. ....	12	Ditto
Liber W.S. ....	13	Ditto

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A List of Record Books in the Provincial Office, taken the  
Day of 1769.

Libers.	N. <sup>o</sup>	
W.H.L. ....		} Record Books of Laws
C & W.H. ....		
W.H. ....		
LL. ....		
LL. ....		
L. ....	4	
L. ....	5	
B.L.C. ....		
H.S. ....	1	

Libers.	N. <sup>o</sup>	
S. ....		} Land Records
B.B. ....		
F.F. ....		
I.I. ....		
M.M. ....		
W.R.C. ....		
T.L. ....	2	
P.L. ....	3	
T.P. ....		
P.L. ....	5	
P.L. ....	6	
P.L. ....	8	

L. H. J. Liber No. 54 Dec. 19	Libers.	N. <sup>o</sup>	
	El.	3	} Land Records
	El.	8	
	El.	12	
	B.T.	1	
	B.T.	4	
	D.D.	2	
	D.D.	3	
	D.D.	4	

Libers.	N. <sup>o</sup>	
N.N.		} Judgment Records
W.C.		
D.S.	a	
R.T.		
S.S.		
D.S.		
T.L.	1	
T.L.	2	
H.W.	3	
I.L.		
C.G.	1	
W.T.	3	
W.T.	3	
W.T.	4	
S.G.		

Libers.	N. <sup>o</sup>	
T.L.	3	} Judgm. <sup>t</sup> Records now in Use
I.B.		
I.B.	2	
P.L.		
P.L.	2	
P.L.	3	
I.O.	1	
V.D.	1	
V.D.	2	
V.D.	3	
P.L.	4	
W.G.	1	
P.L.	7	
W.G.	2	
RB	1	
RB	2	
RB	3	
W.G.	3	
El.	1	
E.I.	2	

Libers.	N.º		
E.I.	4	}	Judgm. <sup>t</sup> Records now in Use
E.I.	5		
E.I.	6		
E.I.	7		
E.I.	9		
E.I.	10		
E.I.	11		
E.I.	13		
E.I.	14		
E.I.	15		
G.S.	1		
B.T.	1		
B.T.	2		
B.T.	3		
B.T.	5		
D.D.	5	}	Judgm. <sup>t</sup> Records now in Use
D.D.	1		
D.D.	2		
D.D.	3		
D.D.	4		
D.D.	5		
D.D.	6		
D.D.	7		
D.D.	8		
D.D.	9		
D.D.	10		
T.P.	2		

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Benedict Calvert Esq, from the Upper House, delivered to M.<sup>r</sup> Speaker the Paper Bill, entitled, An Act for the building of a Parish Church in Christ's Church Parish in Calvert County; endorsed: "By the Upper House of Assembly Dec.<sup>r</sup> 19.<sup>th</sup> 1769: The engrossed Bill whereof this is the Original, read and Assented to.

Signed by Order, U Scott Cl: Up: Ho:."

M.<sup>r</sup> Speaker communicated to the House the following Letter from the Speaker of the House of Burgesses of Virginia

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Sir

Virginia, May 17.<sup>th</sup> 1769.

The House of Burgesses met on the 8.<sup>th</sup> Instant; on the 16.<sup>th</sup> they took into their serious Consideration the State of this Colony, and in the Course of their Deliberations, being alarmed at the Distress in which all America is likely to be involved, came to several Resolutions; Copies of which they have given me particular Directions to transmit, without Delay, to the Speakers of the several Houses of Assembly on this Continent, and to request their Concurrence therein.

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In Obedience to the Order, I now, Sir, enclose you a Copy of those Resolutions, and am persuaded that the Importance of the Subject will be sufficient to engage the immediate Attention of your respectable House, and the Circumstances of America evince the Propriety of their Conduct.

His Excellency the Governor thought fit on the 17.<sup>th</sup> to Dissolve the Assembly. However discouraging this Reprehension may be, yet we hope that our Loyalty, and Affection to his Majesty, our Regard to the true Interest of our Mother Country, and our Inclinations to terminate this unhappy Dispute, will be made manifest, and will, in the End, dispose our gracious Sovereign to interpose in our Favour, and to procure to his injured People the Redress they most humbly ask for.

I am, with the greatest Respect  
Your most obed.<sup>t</sup> Serv<sup>t</sup>  
Peyton Randolph

And the Resolves therein as follow :

Tuesday the 16.<sup>th</sup> of May, 9.<sup>th</sup> George 3.<sup>d</sup> 1769.

M.<sup>r</sup> Blair reported from the Committee of the whole House, to whom it was referred to consider of the present State of the Colony, that they had come to several Resolutions, which he read in his Place, and afterwards delivered in at the Clerks Table, where the same were read, and are as followeth, viz.

Resolved, That it is the Opinion of this Committee, that the sole Right of imposing Taxes on the Inhabitants of this his Majesty's Colony and Dominion of Virginia, is now, and ever hath been legally and constitutionally vested in the House of Burgesses, lawfully convened, according to the antient and established Practice, with the Consent of the Council, and of his Majesty the King of Great Britain, or his Governor, for the Time being.

Resolved, That it is the Opinion of this Committee that it is the undoubted Privilege of the Inhabitants of this Colony to Petition their Sovereign for Redress of Grievances; and that it is lawful and expedient to procure the Concurrence of his Majesty's other Colonies, in dutiful Addresses, praying the Royal Interposition in Favour of the violated Rights of America.

Resolved, That it is the Opinion of this Committee, that all Trials for Treason, Misprision of Treason, or for any Felony or Crime whatever, committed and done in his Majesty's said Colony and Dominion, by any Person or Persons residing therein, ought of Right to be had and conducted in and before his Majesty's Courts held within the said Colony, according to the fixed and known Course of Proceedings; and that the seizing any Person or Persons residing in this Colony, suspected of any Crime whatsoever, committed therein, and sending such Person or Persons to Places beyond the Sea to be



tried, is highly derogatory of the Rights of British Subjects, as thereby the inestimable Privilege of being tried by a Jury from the Vicinage, as well as the Liberty of summoning and producing Witnesses on such Trial, will be taken away from the Party accused.

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Resolved, That it is the Opinion of this Committee, that an humble, dutiful, and loyal Address be presented to his Majesty, to assure him of our inviolable Attachment to his sacred Person and Government, and to beseech his Royal Interposition, as the Father of all his People, however remote from the Seat of his Empire, to quiet the Minds of his loyal Subjects of this Colony, and to avert from them those Dangers and Miseries which will ensue, from the seizing and carrying beyond Sea any Persons residing in America, suspected of any Crimes whatsoever, to be tried in any other Manner, than by the antient and long established Course of Proceeding.

The said Resolutions being severally read a Second Time, Resolved, Nemine Contradicente, That the House doth agree with the Committee in the said Resolutions.

Ordered, That the Speaker of this House do transmit, without Delay, to the Speakers of the several Houses of Assembly on this Continent, a Copy of the Resolutions now agreed to by this House, and request their Concurrence therein. A true Copy, extracted from the Journals of the House of Burgesses.

G Wythe. C. H. B

Ordered, That the said Letter and Resolves be read.

Ordered, That the said Letter, and Resolves, be taken into Consideration To-morrow Morning, at the sitting of the House.

The House adjourns 'til To-morrow Morning 9 o'Clock.

Wednesday, December 20.<sup>th</sup>

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The House met according to Adjournment.

The Members were called, and all appeared, as on Yesterday, except M.<sup>r</sup> Chase and M.<sup>r</sup> Worthington.

The Proceedings of Yesterday were read.

The Governor communicated to M.<sup>r</sup> Speaker the following Extract of a Letter from Lord Hillsborough.

Extract of a Letter from the Earl of Hillsborough, dated May 13.<sup>th</sup> 1769.

"But I can take upon me to assure you, notwithstanding Insinuations to the contrary, from Men with factious and seditious Views, that his Majesty's present Administration have at no Time entertained a Design to propose to Parliament to lay any further Taxes on America for the Purpose of raising a Revenue, and that it is at

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L. H. J. present their Intention to propose in the next Session of Parliament  
 Liber No. 54 to take off the Duties upon Glass, Paper, and Colours, upon Con-  
 Dec. 20 sideration of such Duties having been laid contrary to the true Prin-  
 ciples of Commerce.

These, Sir, have always been, and still are the Sentiments of his Majesty's present Servants, and the Principles by which their Conduct, in Respect to America, has been grounded, and his Majesty relies upon your Prudence and Fidelity, for such an Explanation of his Measures as may tend to remove the Prejudices which have been excited by the Misrepresentations of those who are Enemies to the Peace and Prosperity of Great Britain and her Colonies and to re-establish that mutual Confidence and Affection upon which the Glory and Safety of the British Empire depend.

I am Sir Y.<sup>r</sup> most obed.<sup>t</sup> humble Serv.<sup>t</sup>

(Signed) Hillsborough

Which was read, and referred to the Consideration of the next Session of Assembly.

Upon reading the Second Time, and maturely considering the Letter from the Speaker of the House of Burgesses of Virginia, and the Resolves therein mentioned, Resolved, That this House doth unanimously concur with the House of Burgesses in Virginia in the said Resolutions.

Resolved unanimously, That the Répresentatives of the Freemen of this Province, in their legislative Capacity, with the assent of the other Part of the Legislature, have the sole Right to lay Taxes and Impositions on the Inhabitants of this Province, or their Property and Effects; and that the laying, imposing, levying, or collecting any Tax on or from the Inhabitants of Maryland, under Colour of any other Authority, is unconstitutional, and a direct Violation of the Rights of the Freemen of this Province.

Resolved unanimously, That it is the undoubted Privilege of the Inhabitants of this Province to petition their Sovereign for the Redress of Grievances; and that it is lawful and expedient to procure the Concurrence of his Majesty's other Colonies, in dutiful Addresses, praying the Royal Interposition in Favour of the violated Rights of America.

Resolved unanimously, That all Trials for Treason, Misprision of Treason, or for any Felony or Crime whatever, committed and done in this Province, ought of Right to be had and conducted in and before the Courts of Law held within this Province, according to the fixed and known Course of Proceedings; and that the seizing any Person or Persons, suspected of any Crime whatever, committed  
 p. 55 in this Province, and sending such Person or Persons to Places beyond the Sea to be tried, is highly derogatory of the Rights of

British Subjects, as thereby the inestimable Privilege of being tried by a Jury from the Vicinage, as well as the Liberty of summoning and producing Witnesses on such Trial, will be taken away from the Party accused.

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Ordered, That M.<sup>r</sup> Speaker do write to Peyton Randolph Esq, Speaker of the House of Burgesses of the Dominion of Virginia, and acquaint him that this House hath unanimously concurred with the House of Burgesses in Virginia in their said Resolutions.

Ordered, That M.<sup>r</sup> Speaker do write Letters to the Speakers of the several other Houses of Representatives in the British Colonies upon this Continent, informing them of the Resolutions of this House, and desiring their Concurrence therewith.

Ordered, That the Resolves of this House be immediately, after the End of this Session, printed in the Maryland Gazette

The engrossed Bills, entitled, An additional Supplementary Act to the Act, entitled, An Act to prevent the Abuses of Concealing convicted Felons, and other Offenders, imported into this Province, and for the better Discovery of them. And, An Act for preventing the Evil occasioned by the continuance of Suits at Law on Suggestion of Want of Evidence from beyond Sea; were severally read and assented to, and sent, with the Paper Bills thereof, to the Upper House by M.<sup>r</sup> Mackall, and M.<sup>r</sup> Wootton.

M.<sup>r</sup> M. Tilghman brought in and delivered to M.<sup>r</sup> Speaker, the following Address.

To the Right Honorable Frederick, Lord Baltimore, Lord Proprietary of the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Lordship,

We, his Majesty's most dutiful and loyal Subjects, the Delegates of the Freeman of Maryland, in General Assembly convened, heartily thank your Lordship for your kind Message delivered to us by our new Governor. How justly his Predecessor, M.<sup>r</sup> Sharpe, may have entitled himself to your Lordships grateful Acknowledgments for his many Years faithful Service to you, is with your Lordship; though a Retrospection upon the Proceedings of this House will not permit us to say that M.<sup>r</sup> Sharpe always paid a due Regard to the Interest of the Province; yet we must acknowledge it is our Opinion, that his own Inclination led him very much towards that desirable Object.

Your Lordship's Declaration, that your Interest and that of the good People of this Province are indeed inseparable, we are willing to look upon as a happy Presage, that the Time is near at Hand, when we may be convinced that every Person who would recommend himself to your Favour, must make the Happiness of this Province his First Object.

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The Confidence your Lordship is pleased to express in M.<sup>r</sup> Eden's Abilities and Inclination to make us a happy People, joined to your intimate Connexion, and your Sentiments of Affection, and Friendship for him, afford us a pleasing Hope that the Authority you have delegated to him may be so unrestricted, as to permit a full and free Exertion of those Abilities, actuated by that good Inclination, upon all Occasions, to promote the Welfare of the People of Maryland. With this Idea we very cordially receive M.<sup>r</sup> Eden as our Governor, and we cannot but highly value ourselves upon your Lordship's favourable Opinion that he will receive from us those Returns which we persuade ourselves his Conduct will demand, as the due Rewards of his Merit.

Your Lordships Offer to encourage any Plan which we may propose for the Improvement of, or Addition to the Happiness of the Province, claims our most grateful Acknowledgments: And though the severe Season in which we are at this Time engaged in Business and the incommodious State of our public Buildings in which we are obliged to transact it, will not permit us now to propose any regular Plan of Improvement; yet our Duty calls upon us to point out to your Lordship, what, in our Opinion, have been some of the principle Causes that have hitherto retarded the Growth of this Province. The Collection of the 14.<sup>d</sup> Sterling per Tun on Shipping trading to this Province, to your Lordships private Use, and of the 12.<sup>d</sup> per Hogshead for the Support of Government, professedly under Laws, which, in the Opinion of the People of this Province, have no real Existence.

The Application of a Third Part of the 12.<sup>d</sup> contrary to the known Application of it, while the Law, creating that Duty did exist, and the constant refusal of the Upper House to pass a Bill for the Support of an Agent in London to transact the affairs of the Province in Behalf of the People, together with an extreme Attachment in that Branch to the private Proprietary Interest, and to the Profits of Office, have for many Years greatly disquieted the Minds of the People, and contributed not a little to embarrass the public Proceedings, and to obstruct the forming of good and wholesome Laws. And we must beg Leave particularly to observe to your Lordship, that the 14.<sup>d</sup> per Tun is burthensome to Trade as to be accounted one principle Cause why a great Part of the Produce of this Province is exported through the Channel of Pennsylvania, whose rapid Progress in Improvement, from the Spirit of Freedom breathed through her whole political System, is scarcely to be paralleled.

The issuing Writs of Replevin out of the Chancery only, is very grievous to the People of the Eastern Shore, and to all others remote from that Office; and though an easy Remedy has been long desired, yet it has been constantly denied to this Time; because, as it now  
 p. 57 appears from an Amendment made by the Upper House to a Bill sent



up this Session for that Purpose, the Chancellor would, by that Means, lose a trifling Fee: The Sale of Offices, now open and avowed, obliges the Purchaser, by every Way and Means in his Power, to enhance his Fees; this is contrary to Law, and leads directly to Oppression. The Claim of an annual Salary for the Clerk of your Council, has long been, and still is held up by the Upper House against the Claims of all the public Creditors of the Province, which are not to be paid unless that be allowed, though the disposal of the People's Money doth of Right belong solely to this House. The Upper House have denied us the Means of Prosecuting an Appeal to the King and Council, entered into by both Houses, and confirmed by a Law for putting an End to that Dispute; for which Reason, and because we always were, and still are of Opinion, that Claim ought to be paid out of the Monies arising from Fines and Forfeitures, and other Monies, applied by our Laws, for Support of Government, and unaccounted for, we are apprehensive Harmony cannot subsist between the Two Houses whilst that Claim is insisted on.

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Encouraged by the benevolent Disposition displayed in your Lordships Message, we have brought these Causes of Disquietude and Non-improvement to your View, in Hopes that your attentive Consideration of them will suggest the Means by which the Removal of them may be effected, and all our Disputes terminated.

It is in your Lordships Power, and we hope in your Inclination, to redress our Aggrievances; and we beg Leave to assure your Lordship, that it is not from a Spirit of Disaffection to your Government, that we have thus freely laid before you our Complaints, but from a sincere Desire to put an End, by an amicable Settlement of those Differences which have already too long subsisted, being fully persuaded that nothing can so much contribute to your Lordships true Interest, and to the Peace and Welfare of your Province.

Which Address was read the First Time, and ordered to lie on the Table.

Ordered, That the same be read a Second Time, and it was read accordingly; and the Question was put, that the following Paragraph be struck out of the said Address, viz "How justly his Predecessor, M.<sup>r</sup> Sharpe, may have entitled himself to your Lordships grateful Acknowledgments for his many Years faithful Service to you, is with your Lordship; though a Retrospection upon the Proceedings of this House will not permit us to say that M.<sup>r</sup> Sharpe always paid a due Regard to the Interest of the Province; yet we must acknowledge it is our Opinion that his own Inclination led him very much towards that desirable Object."

Resolved in the Negative.



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For the Negative

M. <sup>r</sup> W. Thomas,	M. <sup>r</sup> Gantt,	M. <sup>r</sup> N. Thomas,
Buchanan,	Grahame,	Noel,
Ringgold,	Ware,	Beall,
Worthington,	Harrison,	Tyler,
Johnson,	Hayward,	Contee,
Griffith,	Dickinson,	E. Tilghman,
Mackall,	M. Tilghman,	Hollyday. [21]

For the Affirmative

M. <sup>r</sup> Eden,	M. <sup>r</sup> Hall,	M. <sup>r</sup> Heugh,
Gresham,	Wright,	Wootton.
Baxter,	Luckett,	[8]

The Address approved of, and ordered to be engrossed.

p. 58 George Steuart Esq, from the Upper House, delivered to M.<sup>r</sup> Speaker, the Paper Bills entitled, An Additional Supplementary Act to the Act, entitled, An Act to prevent the Abuses of concealing convicted Felons, and other Offenders, imported into this Province, and for the better Discovery of them. And, An Act for preventing the Evil occasioned by the Continuance of Suits at Law on Suggestion of want of Evidence from beyond the Sea; endorsed: "By the Upper House of Assembly Dece.<sup>r</sup> 20.<sup>th</sup> 1769 The engrossed Bill whereof this is the Original, read and assented to.

Signed by Order U Scott Cl: Up: Ho:."

M.<sup>r</sup> Ringgold brought in, and delivered to M.<sup>r</sup> Speaker, the following Address.

To his Excellency Robert Eden Esq, Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

We have prepared an Address to our Lord Proprietary, in Answer to his Message, communicated to this House by your Excellency, at the Opening of this Session, which we herewith send you, and request you will be pleased to take the First Opportunity of transmitting it to his Lordship.

Which was read, approved of, and ordered to be engrossed.

The engrossed Address to Lord Baltimore brought in, which was read and assented to, and signed by order of the House, by the honorable Speaker.

The engrossed Address to his Excellency brought in, which was read and assented to, and signed by Order of the House by the honorable Speaker

M.<sup>r</sup> Ringgold brought in, and delivered to M.<sup>r</sup> Speaker the following Address.

L. H. J.  
Liber No. 54  
Dec. 20

To his Excellency Robert Eden Esq Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

By an Account from the Treasurer of the Western Shore (a Copy of which is herewith laid before your Excellency) it appears that the Money arising by Ordinary Keepers, and Hawkers, and Pedlars Licenses, has not been paid in as the Law requires, and that there is remaining in the Hands of George Scott, late Sheriff of Frederick County, One Hundred and Sixty Pounds, received by him in Seventeen Hundred and Sixty Eight, and of Charles Somerset Smith, late Sheriff of Charles County, Forty Pounds received by him in Seventeen Hundred and Sixty-eight. And we apprehend there are also very considerable Sums in the Hands of the Sheriffs of Saint Mary's, and Baltimore Counties, received in that Year; but as the Clerks of both those Counties have neglected to return Lists, as the Law directs, the particular Sums cannot appear. And we beg Leave to observe to your Excellency, that although the Law directs the Money to be paid in Yearly, by the Twentieth Day of October, not one of the Sheriffs (except the Sheriffs of Calvert and Charles County) has paid any Money for the present Year.

p. 59

Our Duty therefore obliges us to desire your Excellency will have the Bonds of the said Four Sheriffs, who did not pay in last Year's Receipts, put in Suit immediately; and if the Monies received this Year are not soon paid in, that the Bonds of such Sheriff, who shall delay to pay in, may also be put in Suit; and that you will take such Measures as shall be effectual for compelling the Clerks to a Discharge of their Duty. We are the more earnest in desiring a speedy Proceeding against the Sheriffs, as the Public has, at Times, suffered greatly by Loss of Money collected by the Officers.

Which was read, approved of, and Ordered to be engrossed

The Bill, entitled, An Act relating to Replevins, read the Second Time and will not pass. Sent to the Upper House by M.<sup>r</sup> N. Thomas, and M.<sup>r</sup> Griffith.

John Bealle Bordley Esq from the Upper House, delivered to M.<sup>r</sup> Speaker, the Bill, entitled, An Act for raising Four Pence Sterling on every Hogshead of Tobacco exported out of this Province, for the Support of an Agent at London, for the Service of this Province; endorsed: "By the Upper House of Assembly, Dec.<sup>r</sup> 16.<sup>th</sup> 1769 Read the First and Second Time by an especial Order, and will not pass.

Signed by Order U Scott Cl: Up: Ho:"

L. H. J.  
Liber No. 54  
Dec. 20

Also an Act, entitled, An Act continuing an Act, entitled, An Act for Trial of all Matters of Fact in the several Counties where they have arisen, or shall arise; endorsed: “By the Upper House of Assembly, November 25.<sup>th</sup> 1769 Read the First Time and ordered to lie on the Table.

Signed by Order U Scott Cl: Up: Ho:”

“By the Upper House of Assembly December 6. 1769 Read the Second Time and will not pass.

Signed by Order U Scott Cl: Up: Ho:”

Ordered, That M.<sup>r</sup> Johnson and M.<sup>r</sup> E Tilghman, do wait on his Excellency, and acquaint him that this House hath prepared an Address to be presented to him and desires to know when and where he will be pleased to receive it. They return and acquaint M.<sup>r</sup> Speaker they delivered the Message, and that his Excellency was pleased to signify he would receive the Address immediately in the Conference Chamber.

Ordered, That M.<sup>r</sup> Speaker, attended by the whole House, do present the Address.

The Report of the Committee of Grievances respecting the Clerk of Charles County, referred to the Consideration of the next Session of Assembly

M.<sup>r</sup> Beall brought in and delivered to M.<sup>r</sup> Speaker the following Report

By the Committee appointed to tax the Fees arising on the Complaint of John Doncastle and William Wright against Richard Lee jun.<sup>r</sup> Sheriff of Charles County.

Your Committee, in Obedience to the Order of the House, have enquired into the Fees and Expences on the Complaint of John Doncastle and William Wright, and do find the same as follow, to wit.

p. 60	To the Clerk, for Four Summonses . . . . .	at 3/. . . .	£0.12. 0
	To the Serjeant for serving Three Ditto . . . . .	at 3/. . . .	9. 0
	To ditto, for One ditto Non est inventus . . . . .		1. 6
	To ditto, for Cash paid Two Messengers to serve Process on the Sheriff . . . . .	} 4.	6.10
	To William Wyatt Fentham for Five Days Attendance at 5/. and Four Days itinerant Charges, at 3/. . . . .		
			1.17. 0
			£7. 6. 4

All which is humbly submitted to the Consideration of the honorable House.

Signed by Order John Duckett Cl Com

Which was read and concurred with.

Ordered, That the Sheriff of Charles County do pay the Fees taxed therein.

The engrossed Address brought in, which was read and assented to, and signed, by Order of the House, by the honorable Speaker.

L. H. J.  
Liber No. 54  
Dec. 20

Ordered, That M.<sup>r</sup> Hollyday and M.<sup>r</sup> Hayward do wait on his Excellency and acquaint him that this House hath prepared an Address to be presented to him, and desires to know when and where he will be pleased to receive it. They return and acquaint M.<sup>r</sup> Speaker they delivered the Message, and that his Excellency was pleased to signify he would receive the Address immediately in the Council Chamber.

Ordered, That M.<sup>r</sup> Dickinson, M.<sup>r</sup> Beall, and M.<sup>r</sup> Grahame do present the Address.

The House proceeded to tax the following private Bills

An Act for the Naturalization of Peter Haldimand

To the honorable Speaker . . . . . £4. 0.0

To the Clerk . . . . . 2. 0.0

An Act to secure to Thomas Smyth the Right in a Lott of Land in Chester Town

To the honorable Speaker . . . . . £1. 0.0

To the Clerk . . . . . 10.0

M.<sup>r</sup> Ringgold brought in, and delivered to M.<sup>r</sup> Speaker, the following Report

Maryland ss. November 22.<sup>d</sup> 1769

At a Committee of both Houses of Assembly, appointed to inspect the Office and Proceedings . . . [*This report beginning thus is printed in full in the Upper House Journal, pp. 31-33*]

Which was read, and concurred with.

p. 61

This House having Reason to believe that a Petition or Remonstrance was this Session preferred to the Upper House, highly reflecting on the Proceedings of this House, in Relation to the Bill for appointing Places for holding the next Election of Delegates for Baltimore County,

p. 62

On Motion, Resolved, That this House will make full Enquiry into that Matter at the next meeting of Assembly.

On inspecting the Account of the Administrator of Beddingfield Hands Esq; late Treasurer of the Eastern Shore, his Account of the Monies and Bonds received for the Sale of the Lands of the Nanticoke Indians, the House disallowed the said Account, a Commission being thereon charged, as well on the Bonds as the Money.

The Governor communicated to M.<sup>r</sup> Speaker the following Message

Gentlemen, Annapolis Dec.<sup>r</sup> 20.<sup>th</sup> 1769.

According to your Desire in your First Address of this Day, you may depend upon my transmitting immediately to the Lord Proprietary, your Address to his Lordship.

L. H. J.  
Liber No. 54  
Dec. 20

Your just Complaints in your Second Address, against sundry Sheriffs, shall most undoubtedly be attended to without Loss of Time, and I hope to prevent your having Cause to repeat the same hereafter, as I will immediately inform the Officers complained of, that their Continuance in Office the usual Time, shall depend on their Punctuality, as well in this, as in every other Branch of their Duty; in any Failure wherein hereafter their Bonds shall be put in Suit.

The County Clerks also shall be directed to be more attentive in transmitting their Returns as the Law directs.

Rob.<sup>t</sup> Eden

Ordered, That M.<sup>r</sup> Hollyday and M.<sup>r</sup> Dickinson, do wait on his Excellency and acquaint him that no more Business is before this House.

George Steuart and William Fitzhugh Esquires from the Upper House acquaint M.<sup>r</sup> Speaker that the Governor requires the Attendance of the Members of the Lower House, in the Upper House immediately.

M.<sup>r</sup> Speaker left the Chair, and (with the Members of this House) went to the Upper House, and there presented to the Governor the following Bills, viz,

An Act for the Relief of Mary Hindman of Talbot County.

An Act to enable the Justices of Queen Anns County Court, for the Time being, to levy on the taxable Inhabitants of Saint Lukes Parish in the said County, a Quantity of Tobacco for building a Chapel in the said Parish.

p. 63 A Supplementary Act to the Act entitled An Act for laying out anew and settling and ascertaining the future Bounds and Limits of Saint Lukes, Christs Church, and Saint Johns Parishes in Queen Anns County, and of Saint Pauls Parish lying partly in Queen Anns and partly in Talbot County.

An Act for emitting Bills of Credit, and other Purposes therein mentioned.

A Supplementary Act to the Act, entitled, An [act] for the Direction of Sheriffs in their Offices, and restraining their ill Practices within this Province.

An Act to repeal part of an Act to encourage the Destroying of Wolves, Crows, and Squirrels.

An Act to appropriate the Half Acre of Ground therein mentioned to the use of the public School in Frederick County.

A Supplementary Act to the Act, entitled, An Act ascertaining the Height of Fences to prevent the Evils occasioned by the Multitude of Horses, and restraining Horse Rangers within this Province, and to Redress the great Evil accruing to this Province by the Multiplicity of useless Horses, Mares, and Colts that run in the Woods.



An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Ann Catherine Green of the City of Annapolis, Printer.

L. H. J.  
Liber No. 54  
Dec. 20

An Act for the Relief of certain Languishing Prisoners in the several Jails therein mentioned.

An Act for the building of a Parish Church in Christ's Church Parish in Calvert County.

An Additional Supplementary Act to the Act, entitled, An Act to prevent the abuses of concealing Convicted Felons and other Offenders imported into this Province, and for the better Discovery of them. And

An Act to prevent the Evil occasioned by the Continuance of Suits at Law on Suggestion of Want of Evidence from beyond the Sea.

All which Bills his Excellency passed into Laws in the usual Manner, and made the following speech.

Gentlemen of the Upper and Lower Houses of Assembly,

I cannot take my Leave of you on this Occasion, without expressing my Acknowledgment of the obliging Testimony you have been pleased to give me of your Regards.

M.<sup>r</sup> Speaker, and Gentlemen of the Lower House,

Your steady Application to the Business brought before you, notwithstanding your well founded Apprehensions of the inclement Weather's setting in, shews you justly worthy of the Trust your Constituents have placed in you.

Gentlemen of both Houses,

The Medium of Commerce was much wanted in this Province: Your Attention to the mercantile Interest has supplied it, nor could a more favorable Opportunity of erecting the necessary public Buildings, without burthening the Subject by additional Taxes, have offered, than this you have made Choice of; and from the Zeal of your Commissioners, I have no Doubt that I shall see them completed with the same Spirit with which you have so amply provided for that Purpose.

p. 64

By and with the Advice of his Lordships Council of State I now prorogue this Assembly to the Second Tuesday in May 1770: You will accordingly please to take Notice that you are prorogued to that Day.

So endeth this Session of Assembly, begun the 17.<sup>th</sup> Day of November and ended the 20.<sup>th</sup> Day of December in the Year of our Lord seventeen Hundred and Sixty-nine.

Test. T. Wright Cl: Lo: Ho:

## ACTS OF THE ASSEMBLY PASSED DURING NOVEMBER–DECEMBER 1769

Liber R. G.  
1769  
p. 1      At a Session of Assembly begun and held at the City of Annapolis [on Friday] the seventeenth day of November in the Nineteenth Year of the Dominion of the Right Honourable Frederick Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore and soforth Annoque Domini one Thousand seven hundred and sixty nine and ending the Twentieth Day of December following

The following Laws were Enacted and Assented to by his Excellency Robert Eden Esquire Governor

### No. 1    An Act for the Naturalization of Peter Haldimand

[A Private Act.]    Whereas Peter Haldimand Gentleman being a Foreigner of the Protestant or reformed Religion hath by his Petition to this General Assembly expressed his earnest Desire to be made Partaker of the Immunities and Priviledges which his Majesty Natural Born Subjects of the Kingdom of England are entituled to and enjoy in this Province and hath also made it appear to the Satisfaction of this Assembly that he hath taken the Several Oaths to the Government and received the Sacrament according to the Rites of the Church of England.

Be it enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the said Peter Haldimand shall and is hereby Declared and Adjudged able to all Intents Construtions and Purposes Whatsoever to Demand take have retain and enjoy within this Province any Priviledges and Immunities belonging to or enjoyed by his Majesty's Liege People & Natural Born Subjects of the Kingdom of England and the said Peter Haldimand is hereby Qualified and enabled to purchase Have Hold and enjoy any Lands & Tenements or other Hereditaments within this Province and to Prosecute Maintain and Defend any Action or Actions real and Personal in any of his Lordships Courts of Record of this Province and To Have Hold and enjoy all the Priviledges and Freedoms whatsoever that any of his Majesty's natural born Subjects of the Kingdom of England may or can have challenge or Demand within this Province any Law Usage or Custom to the Contrary Notwithstanding

By the Lower House of  
Assembly Nov.<sup>r</sup> 25.<sup>th</sup> 1769  
Read & assented to.  
Signed by order  
T. Wright Cl. lo: Ho:

On behalf of the Right  
Honble the Lord Pro-  
prietary of this Province.  
I Will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Decem.<sup>r</sup> 2.<sup>d</sup>  
1769. Read & Assented to  
Signed by Order  
U Scott Cl: Up. Ho:

Great Seal in  
Wax Appendant

- No. 2 An Act continuing An Act entitled An Act for repairing the Publick Roads in this Province and the Supplementary Act thereto

Liber R. G.  
1769  
p. 2

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That an Act of Assembly of this Province entitled an Act for repairing the Publick Roads in this Province made at a Session of Assembly begun and held at the City of Annapolis the second day of October seventeen Hundred and fifty three also the Supplementary Act thereto made at a Session of Assembly begun and held at the City of Annapolis the Twenty third Day of February one Thousand seven Hundred & fifty six be and are hereby continued and shall remain and be in full force for and During the Term of seven Years and to the End of the next Session of Assembly which shall Happen after the End of the said seven Years

[An Act,  
and the sup-  
plementary  
act thereto,  
continued.]

By the Lower House of  
Assembly Decem.<sup>r</sup> 2.<sup>d</sup>  
1769. Read & assented to  
Signed by Order  
T. Wright Cl. lo: ho:

On Behalf of the Right  
Honble the Lord Pro-  
prietary of this Province  
I Will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Decem.<sup>r</sup> 2.<sup>d</sup>  
1769  
Signed by Order  
U Scott Cl. Up: Ho:

Great Seal in  
Wax Appendant

- No. 3 An Act continuing an Act entitled an Act to ease the Inhabitants of this Province and to empower the Justices of the Several Counties to bind out Persons therein mentioned Apprentices

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice & Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That an Act of Assembly of this Province entitled An Act to ease the Inhabitants of this Province and to empower the Justices of the Several Counties to bind out Persons therein mentioned Apprentices made at a Session of Assembly begun and held at the City of Annapolis the first day of November Seventeen Hundred and sixty six be and is hereby continued and shall remain and be in full Force for and during the Term of Three Years next ensuing and unto the End of the next Session of Assembly which shall happen after the End of the said Three Years

[An Act,  
continued.]

By the Lower House of  
Assembly Decem.<sup>r</sup> 2.<sup>d</sup>  
1769. Read and Assented  
to  
Signed by Order  
T. Wright Cl. lo: ho:

On behalf of the Right  
Honourable the Lord  
Proprietary of this Prov-  
ince I Will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Decem.<sup>r</sup> 2.<sup>d</sup>  
1769 Read & assented to  
Signed by order  
U Scott Cl: Up: Ho:

Great Seal in  
Wax appendant

No. 4 An Act continuing An Act entitled An Act to oblige infected Ships &  
 other Vessels coming into this Province to perform Quarantine  
 Liber R. G. 1769  
 p. 3  
 [An Act continued.] Be it Enacted by the Right Honourable the Lord Proprietary by  
 and with the Advice and Consent of his Lordships Governor and the  
 Upper and Lower Houses of Assembly and the Authority of the  
 same That an Act of Assembly of this Province entitled an Act to  
 oblige infected Ships and other Vessels coming into this Province  
 to perform Quarantine made at a Session of Assembly begun and  
 held at the City of Annapolis the first Day of November Seventeen  
 hundred and sixty six be and is hereby continued and shall remain  
 and be in full Force for and During the Term of Three Years and to  
 the End of the next Session of Assembly which shall happen after  
 the End of the said Three Years

By the Lower House of  
 Assembly Dec.<sup>r</sup> 2.<sup>d</sup> 1769.  
 Read & assented to  
 Signed by order.  
 T. Wright Cl. lo: ho:

On behalf of the Right  
 Hon<sup>ble</sup> the Lord Pro-  
 prietary of this Province,  
 I will this be a Law  
 Rob.<sup>t</sup> Eden

By the Upper House of  
 Assembly Dec.<sup>r</sup> 2.<sup>d</sup> 1769.  
 Read & assented to  
 Signed by order.  
 U Scott Cl. Up: Ho:

Great Seal in  
 Wax appendant

No. 5 An Act continuing an Act entitled an Act to Increase the Allowance  
 of Jurors attending the Provincial and County Courts and for  
 other Purposes therein mentioned.

[An Act continued.] Be it Enacted by the Right Honourable the Lord Proprietary by  
 and with the Advice and Consent of his Lordships Governor and the  
 Upper and Lower Houses of Assembly and the Authority of the  
 same That an Act of Assembly of this Province Entitled an Act to  
 increase the Allowance of Jurors attending the Provincial and County  
 Courts and for other Purposes therein mentioned made at a Session  
 of Assembly begun and held at the City of Annapolis the First day  
 of November seventeen Hundred and sixty five be and is hereby  
 continued and shall remain and be in full Force for and during the  
 Term of seven Years next ensuing and to the End of the next  
 Session of Assembly which shall happen after the End of the said  
 seven years

By the Lower House of  
 Assembly Dec.<sup>r</sup> 2.<sup>d</sup> 1769.  
 Read & assented to.  
 Signed by order.  
 T. Wright Cl. lo: ho:

On behalf of the Right  
 Hon<sup>ble</sup> the Lord Pro-  
 prietary of this Province.  
 I Will this be a Law  
 Rob.<sup>t</sup> Eden

By the Upper House of  
 Assembly Dec.<sup>r</sup> 2.<sup>d</sup> 1769.  
 Read & assented to  
 Signed by order.  
 U Scott Cl: Up: ho:

Great Seal in  
 Wax appendant

- No. 6 An Act continuing an Act entitled a Supplementary Act to the Act entitled an Act for ascertaining what Damages shall be allowed upon Protested Bills of Exchange Liber R. G.  
1769  
p. 4

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice & Consent of his Lordships Governor and the upper and Lower Houses of Assembly and the Authority of the same That an Act of Assembly of this Province entitled a Supplementary Act to the Act Entitled an Act for ascertaining what Damages shall be allowed upon Protested Bills of Exchange made at a Session of Assembly begun and held at the City of Annapolis the first day of November seventeen Hundred and sixty five be and is hereby continued and shall remain and be in full force for and During the Term of Three Years next Ensuing and to the End of the next Session of Assembly which shall happen after the End of the said Three Years [An Act  
continued.]

By the Lower House of  
Assembly Dec.<sup>r</sup> 2.<sup>d</sup> 1769.  
Read & assented to.  
Signed by order.  
T. Wright Cl. lo: ho:

On behalf of the Right  
Honble the Lord Pro-  
prietary of this Province,  
I Will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Dec.<sup>r</sup> 2.<sup>d</sup> 1769  
Read & assented to  
Signed by order  
U Scott Cl. Up: Ho:

Great Seal in  
Wax appendant

- No. 7 An Act continuing an Act Entitled an Act for amending the Staple of Tobacco for preventing Frauds in his Majesty's Customs and for the Limitation of Officers Fees and the Supplementary Act thereto,

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That an Act of Assembly of this Province Entitled An Act for amending the Staple of Tobacco for preventing Frauds in his Majesty's Customs and for the Limitation of Officers Fees made at a Session of Assembly begun and held at the City of Annapolis the fourth day of October seventeen Hundred and sixty three also the Supplementary Act thereto made at a Session of Assembly begun and held at the City of Annapolis the first day of November seventeen hundred and sixty six be and are hereby continued and shall remain and be in full Force until the first day of October which shall be in the Year Seventeen Hundred and Seventy [An Act, and  
the Supple-  
mentary Act  
thereto, con-  
tinued.]

By the Lower House of  
Assembly Dec.<sup>r</sup> 6.<sup>th</sup> 1769.  
Read & assented to  
Signed by order.  
T. Wright Cl. lo: ho:

On behalf of the Right  
Honourable the Lord Pro-  
prietary of this Province.  
I Will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Dec.<sup>r</sup> 13.<sup>th</sup> 1769.  
Read & assented to  
Signed by order.  
U Scott Cl. Up: Ho:

Great Seal in  
Wax appendant



No. 8 An Act for applying a Sum of Money in Bills of Credit to the use  
 Liber R. G. therein mentioned  
 1769

p. 5  
 [A Private Act.] Whereas his Lordship the Right Honourable the Lord Proprietary has been pleased to appoint his Excellency Robert Eden Esq.<sup>r</sup> his Lordships Brother to be his Lieutenant Governor in and over this his Province of Maryland, The General Assembly of this Province to manifest their chearful Acquiescence in the said Appointment and as a Testimony of their Respect for his Excellency do pray that it may be Enacted And be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Committee appointed by the Upper and Lower Houses of Assembly in their Present Session to inspect the Proceedings of the Commissioners appointed by Virtue of the Act for the Payment of the Public Claims for emitting Bills of Credit and for other Purposes therein mentioned shall and they are hereby impowered to pay to the order of his Excellency the said Robert Eden Esquire out of the Bills of Credit now in the said Office Eight Hundred Dollars which his Excellency is by the said General Assembly requested to accept as an Instance of their Regard & respect for him

By the Lower House of  
 Assembly Dec.<sup>r</sup> 13.<sup>th</sup> 1769.  
 Read & assented to.  
 Signed by order.  
 T. Wright Cl. lo: ho:

On behalf of the Right  
 Honourable the Lord Pro-  
 prietary of this Province.  
 I Will this be a Law  
 Rob.<sup>t</sup> Eden

By the Upper House of  
 Assembly Dec.<sup>r</sup> 13.<sup>th</sup> 1769.  
 Read & Assented to.  
 Signed by order.  
 U Scott. Cl. Up: Ho:

Great Seal in  
 Wax Appendant

No. 9 An Act to secure to Thomas Smyth the Right in a Lot of Land in  
 Chester Town

[A Private Act.] Whereas Thomas Smyth of Chester Town in Kent County, Mary Granger Mother of William Granger and the said William Granger have by their Petition to this General Assembly set forth That the said William Granger is seised and Possessed of a certain Lot of Ground lying and being in Chester Town aforesaid known & Distinguished in the Plott of the said Town by the Number sixteen as one of the Water Lots of the said Town which of itself is not of much Value but being Convenient to the said Thomas to erect and build a House on, the said William Granger being now but Twenty Years of Age had with the Advice and Consent of his said Mother agreed and [consented] to sell the same to the same Thomas for the Valuable Consideration of one Hundred Pounds secured to be paid to the said William. In Consequence whereof the said Thomas Smyth hath erected on the said Lot a Large and Valuable Brick House and Kitchen which he was Desirous of finishing and com-

pleating immediately but being unwilling to risque so valuable a part of his Property without securing his Title to the said Land which could not be done whilst the said William was under Age the said Petitioners have prayed that an Act of Assembly might pass to enable the said William Granger tho' under Age to convey to the said Thomas Smyth all his the said William Grangers Right Title and Estate in the said Lot of Land in as full and ample Manner as if he was of full Age,

Liber R. G.  
1769

p. 6

And Whereas Inquiry has been made into the Truth of the ffacts in the said Petition and it appearing that the Price agreed to be given for the said Lott of Ground doth Considerably exceed what the Lotts in the said Town of much Larger Contents have usually been sold it is judged that the said Sale is Advantageous to the said Minor the said Petition is therefore granted so as that the Consideration Money shall be Secured to be paid to the said William if he arrives to full Age and if not to his Heir at Law.

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the said Thomas Smyth and his Heirs shall from the Time of the passing this Act stand and be seised to all Intents and Purposes to his own and no other use of the same Estate Right Title and Interest in and to the said Water Lott of Land in the Town of Chester aforesaid known and distinguished in the Plott of the said Town by the Number sixteen with the Appurtenances as the said William Granger has now in the said Lott of Land but on this express Condition that the said Thomas Smyth his Heirs or Assigns shall pay to the said William Granger the said one hundred Pounds Consideration Money with Legal Interest thereon within six Months after he shall Arrive at full Age if he should so long live the said Interest to be reckoned or computed from the first day of May last past and if he should die before he comes of Age or without Disposition thereof after he comes of Age and before Payment thereof then upon Condition that the said Purchase Money and Interest shall be paid to the Right Heir of the said William if such Heir is of full Age and if not to his or her legal Guardians to his or her use any Law Statute Usage or Custom to the Contrary in any wise Notwithstanding

By the Lower House of  
Assembly Dec.<sup>r</sup> 13.<sup>th</sup> 1769.  
Read and assented to.

Signed by order,  
T. Wright Cl. lo: ho:

On behalf of the Right  
Honourable the Lord Pro-  
prietary of this Province.  
I Will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Dec.<sup>r</sup> 13.<sup>th</sup> 1769.  
Read & assented to.

Signed by order:  
U Scott Cl. Up. Ho:

Great Seal in  
Wax appendant

No. 10 An Act for appointing Places for holding the next Election of Dele-  
 Liber R. G. gates for Baltimore County  
 1769

[Preamble.] Whereas by an Act of Assembly made at a Session of Assembly begun and held at the City of Annapolis on Tuesday the Twenty fourth day of May One Thousand seven Hundred and sixty eight intituled an Act for erecting a Court House and Public Prison for Baltimore County in the Town of Baltimore and for making Sale of  
 p. 7 the old Court House and Prison it was among other things Enacted That from thenceforth untill the said New Court House should be finished the Court of Nisi prius Oyer and Terminer and Jail Delivery for Baltimore County and the County Court and Elections of the said County should be held in the Market House in the said Town of Baltimore

And Whereas it is represented to this General Assembly that by reason of the small pox being in and near the said Town of Baltimore a great Number of the Freeholders and other Voters at Elections for Representatives in Assembly for the said County and especially such of them as live in the parts most remote from the said Town will be Deterred by their Apprehensions of Catching the said Disease from coming to the said Town to Vote at the next Election of Representatives for said County to be made by Virtue of a Writ lately issued for that Purpose which Election as the Law now stands must be made at the said Town of Baltimore and not elsewhere To give Therefore the said Free Holders and Voters an Opportunity of Voting at the said next Election without the Danger they apprehend from coming to the said Town

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Sheriff of Baltimore County for the Time being shall Hold the Election for the said County to be made by Virtue of the said Writ Lately issued for Four Days together in the Market House in the said Town of Baltimore and on the day next after the Expiration of the said Four Days shall remove the Poll Books and Minutes of the said Election to the Place commonly called Bush Town on Bush River in the said County and on the day next succeeding such Removal shall proceed to carry on the said Election and take the Polls at some convenient Place in the said Town of Bush for four Days together or so Long as it shall be found Necessary for making a full and free Election not exceeding the said Four days Provided that a Sunday shall not be accounted one of the said Days

[An Election of Representatives for Baltimore County, to be held Four Days at Baltimore-Town and Four Days at Bush-Town.]

[Of which the Sheriff to give Notice and make Proclamation.] And be it further Enacted that the said Sheriff shall forthwith make Proclamation and give Notice in the Usual Manner of the days and Places of making the said Election by Virtue hereof not Less than Ten days before the Beginning thereof at the said Town of Baltimore

And be it also Enacted that any Notice given or to be given by the said Sheriff of Holding the said Election at the said Town of Baltimore otherwise than as herein directed shall be Void and of no Effect

By the Lower House of  
Assembly Dec.<sup>r</sup> 13.<sup>th</sup> 1769.  
Read & assented to  
Signed by order.  
T. Wright Cl. lo: ho:

On behalf of the Right  
Honourable the Lord Proprietary of this Province,  
I Will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Dec.<sup>r</sup> 13.<sup>th</sup> 1769.  
Read & assented to  
Signed by order.  
U Scott Cl: Up: Ho:

Liber R. G.  
1769  
[As by this  
Act directed,  
otherwise to  
be void.]

Great Seal in  
Wax Appendant

No. 11 An Act for the Relief of Mary Hindman of Talbot County.

p. 8

Whereas Mary Hindman of Talbot County by her Humble Petitions to this general Assembly hath set forth That a Negro Man Slave belonging to the said Mary Hindman was Committed to the Custody of the Sheriff of Talbot County on Suspicion of his being guilty of a Burglary and that the said Slave before he could receive his Tryal cut his Throat and Died in the Jail of the said County and thereupon the said Petitioner hath prayed to be allowed from the Public for the Value of the aforesaid Slave.

[A Private  
Act.]

Be it Therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Justices of Talbot County Court shall at the next Court to be held for that County after the End of this present Session of Assembly or at the Court next succeeding the said next Court settle and Determine what Value the aforesaid Slave was of at the Time of his Death in Current Money of this Province and shall cause an Entry or Minute of such Value to be made in the Proceedings of their said Court And That the Treasurer of the Eastern Shore of this Province for the Time being upon producing a Certificate from the Clerk of the said County Court under his Hand and the County Seal (which Certificate the said Clerk is hereby required to make and give) of the Value of the said Slave settled and Determined as aforesaid shall pay to the said Mary Hindman her Executors Administrators or Assigns so much Current Money as the said Slave shall be Valued at as aforesaid out of the Public Stock of this Province in his Hands without Fee or Reward.

By the Lower House of  
Assembly Dec.<sup>r</sup> 14.<sup>th</sup> 1769.  
Read & assented to.  
Signed by order.  
T. Wright Cl. lo: ho:

On behalf of the Right  
Honourable the Lord Proprietary of this Province  
I Will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Dec.<sup>r</sup> 14.<sup>th</sup> 1769.  
Read & assented to.  
Signed by order.  
U Scott Cl. Up: Ho:

Great Seal in  
Wax appendant



No. 12 An Act to enable the Justices of Queen Anns County Court for the  
 Liber R. G. Time being to Levy on the Taxable Inhabitants of Saint Lukes  
 1769 Parish in the said County a Quantity of Tobacco for building a  
 Chapel in the said Parish,

[Preamble.] Whereas the Rector Vestrymen Church Wardens and other Prin-  
 cipal Inhabitants of Saint Luke's Parish in Queen Anns County by  
 their Humble Petition to this general Assembly have set forth that  
 the Chapel in the said Parish known by the Name of Saint Andrews  
 Chapel being originally built of Wood is now old and irreparable  
 and much too Small for the Congregations which attend it and have  
 therefore prayed that an Act may be passed to enable the Justices  
 of the County aforesaid to Levy on the Taxable Inhabitants of the  
 p. 9 said Parish the Sum of Sixty Thousand Pounds of Tobacco at Two  
 equal Assessments in order to Build a new Chapel in the Place where  
 the old one now stands and also to enable the Vestry of said Parish  
 to apply the Thirty pounds of Tobacco per Poll which became due  
 whilst Saint Lukes Parish was without an Incumbent and what fur-  
 ther Sums belonging to the Parish are now in the Hands of the said  
 Vestry towards Defraying the Expence of Building the said Chapel,

[Three Jus- Be it Therefore Enacted by the Right Honourable the Lord  
 tices, and the Proprietary by and with the Advice and Consent of his Lordships  
 Clerk, of Governor and the Upper and Lower Houses of Assembly and the  
 Queen Anne's Authority of the same that any Three Justices of Queen Anns County  
 County to aforesaid and the Clerk of the said County Court may and are hereby  
 meet, and empowered to meet Together at Queens Town in the County afore-  
 the Justices said at any Time between the Twentieth day of December and the  
 empowered to assess, Twelfth day of January next and at such their meeting the said  
 this Year, on Justices are hereby empowered authorized and required to Apportion  
 the Inhabi- and Assess on the Taxable Inhabitants of the said Parish in this  
 tants of St. present year the sum of Thirty Thousand Pounds of Tobacco of the  
 Luke's Par- said Sixty Thousand Pounds of Tobacco part together with a Com-  
 ish, 30,000 mission to the Sheriff of five per Cent for collecting the same and  
 lb. of To- the Clerk of the said County Court shall forthwith after the said  
 bacco, and Apportionment and Assessment Deliver to the Sheriff of the said  
 the Sheriff's County a Certificate thereof under his Hand and the Seal of the  
 commission said County Court  
 of 5 per  
 cent.]

And be it also Enacted, That the Justices of Queen Anns County  
 aforesaid for the Time being shall and may at their November Court  
 [A further Sum of 30,000 Pounds of Tobacco to be levied on the Inhabitants of said Parish, in the Year 1770.]  
 to be held in the Year one Thousand seven hundred and seventy  
 Assess on the Taxable Inhabitants of the said Parish for that Year  
 the Further Sum of Thirty Thousand Pounds of Tobacco residue  
 of the said Sum of Sixty Thousand Pounds of Tobacco together  
 with a Commission to the Sheriff of Five per Cent for Collecting the  
 same which Sums of Thirty Thousand and Thirty Thousand pounds  
 of Tobacco together with his Commission for Collecting the same



it shall and may be Lawfull for the Sheriff of Queen Anns County aforesaid for the Time being to Levy and collect by way of Execution of and from the Taxable Inhabitants of Saint Lukes Parish aforesaid in the same Manner that other Parish Taxes usually are or may be Lawfully Levied and Collected,

Liber R. G.  
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Provided always And be it Enacted That the said Taxable Inhabitants may and they are hereby impowered to pay and Discharge the said Assessments in the same Manner that other Parish Taxes may be paid and Discharged by the Laws of this Province which shall be in Force at the Time of Levying and Collecting the same.

[How to be discharged.]

And be it further Enacted, That the Sheriff of Queen Anns County aforesaid for the Time being shall and he is hereby required to pay to the Vestrymen & Church Wardens of Saint Lukes Parish aforesaid for the Time being or to their order all such Money and Tobacco as he shall Collect and receive by Virtue of the said Assessments and of this Act his Commission aforesaid excepted in such manner and at such Time as other Parish or County Levies ought to be paid by the said Sheriff

[The Money or Tobacco to be paid by the Sheriff to the Vestrymen and Church Wardens:]

And be it further Enacted That it shall and may be Lawfull to and for the Vestrymen and Church Wardens of Saint Lukes Parish aforesaid for the Time being and they are hereby Authorized and impowered to apply and Lay out as well the said Money and Tobacco so to be Levied Collected and paid as any Money and Tobacco now in the Hands of the Vestry of the said Parish which became due whilst the said Parish was without an Incumbent or otherwise in and Towards the Building compleating and Finishing a new Chapel in the Place where the old one now stands and to that End shall and may Contract with Workmen for the Building and finishing thereof and Purchase all Materials Necessary for the same,

[and to be applied toward building a Chapel,]

p. 10

And be it further Enacted That the said Chapel so to be built when the same shall be finished and Compleated shall be called Saint Andrews Chapel and shall be a Chapel of Ease for the said Parish and thereafter be Supported and repaired at the Charge of the said Parish

[to be called St. Andrew's Chapel.]

By the Lower House of  
Assembly Dec.<sup>r</sup> 15.<sup>th</sup> 1769.  
Read & assented to.  
Signed by order.  
T. Wright Cl. lo: ho:

On behalf of the Right  
Honourable the Lord Pro-  
prietary of this Province,  
I Will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Dec.<sup>r</sup> 16.<sup>th</sup> 1769.  
Read & assented to  
Signed by order.  
U Scott Cl. Up: Ho:

Great Seal in  
Wax appendant

No. 13 A Supplementary Act to the Act entitled An Act for Laying out a new and settling and ascertaining the future Bounds and Limits of Saint Lukes Christ Church and Saint Johns Parishes in Queen

Liber R. G.  
1769

Anne's County and of Saint Pauls Parish lying partly in Queen Anne's and partly in Talbot County

[Preamble,  
reciting an  
Act passed  
in 1765, chap.  
xxxviii.]

Whereas by the said Act it was among other Things enacted That the Justices of Queen Anne's and Talbot Counties aforesaid should Levy on the Taxable Inhabitants of Saint Pauls Parish aforesaid within their Counties respectively the Sum of Thirty Thousand Pounds of Tobacco together with the Sheriffs Salary of five pounds of Tobacco per Centum for Collecting the same by Three equal Assessments for the Purposes in the said Act mentioned and also the sum of Eighty Thousand pounds of Tobacco together with the Sheriffs Salary of Five Pounds of Tobacco per Centum for collecting the same by Three equal Assessments for the Purposes in the same Act mentioned and that to the End that the said County Courts might be the better enabled to apportion the said Sums of Thirty Thousand and Eighty Thousand Pounds of Tobacco among the Taxable Inhabitants of Saint Pauls Parish aforesaid it was further enacted That the Justices of the said County Courts should cause the Clerks of the said Courts to Certify each to the other by the Third day of their Courts to be held in the Month of November next after making the said Act and by the Third Days of their two then next succeeding November Courts the Number of Taxable Persons in that part of Saint Pauls Parish which should be in Queen Annes County and in that part of the said Parish which should be in Talbot County aforesaid respectively after the Division of the Parishes directed to be made by the said Law should be made

[Part of  
which not  
carried in  
Execution.]

And Whereas the Rector Vestrymen and Church Wardens and many other of the Inhabitants of Saint Pauls Parish aforesaid by their Humble Petition to this general Assembly have set forth that the first and second Assessments of the said Quantities of Tobacco directed to be made by the said Act were not made or Levied on the Taxable Inhabitants of that part of the said Parish Lying in Talbot County occasioned as they apprehend by a Misconstruction of the said Act by which means no Certificates as therein Directed were Transmitted from Queen Anne's to Talbot County Court of the Number of Taxes within that part of the Parish which Lies in Queen Anne's County untill the Levies in Talbot County were apportioned and have therefore prayed that an Act may now pass to empower the Justices of Talbot County to Levy at two equal annual Assessments on the Taxable Inhabitants living in that Part of the said Parish which Lies in Talbot County their first and second Proportions of the aforesaid Quantities of Thirty Thousand and Eighty Thousand pounds of Tobacco and have also prayed that the further Quantity of One Hundred and sixty Thousand pounds of Tobacco may be Levied at Three equal Assessments on the Taxable Inhabitants of the said Parish and that one Hundred and Twenty thousand pounds of Tobacco part thereof may be applied towards Building and com-

p. 11

pleating the Parish Church directed by the said recited Act to be built and the Remainder thereof applied towards building and Compleating an Addition to and Galleries in the Chapel called Wye Chapel in the said Parish,

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Be it Therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Clerk of Queen Anne's County shall upon Application deliver to any one Vestryman of the Parish aforesaid a Certificate under his hand of the Number of the Taxables in that part thereof which Lies in Queen Anne's County for this Present Year and for the Years seventeen Hundred and seventy and seventeen Hundred & seventy one And also how much of the said Sums of Thirty Thousand and Eighty Thousand Pounds of Tobacco were Assessed in Pursuance of the said recited Act which Certificate shall by some one Vestryman of the said Parish be delivered to the Clerk of Talbot County who together with the Justices of the same County shall on Notice from any one Vestryman of the said Parish meet at the Court House in the said County on the Second Day of January next under the Penalty of Five Hundred pounds of Tobacco each and the said Clerk of Talbot County shall then and there deliver to any Vestryman of the said Parish who shall be there present a Certificate of the Number of Taxables for this Present year in that part of the said Parish which Lieth in the said County and the said Justices or any two of them shall then and there Assess on the Taxable Inhabitants of that part of the said Parish which Lieth in Talbot County one half of so much Tobacco as shall be equal to the Quantity which ought to have been Levied on Them by the first and second Assessments directed to be made by the said recited Act and also their Proportional Part of one Third Part of the aforesaid Sum of One Hundred and sixty Thousand pounds of Tobacco together with a Salary of Five per Cent to the Sheriff for collecting and paying the same a Certificate of which Assessment the Clerk of the said County shall forthwith Deliver to the Sheriff thereof

[An assessment of one Half the Quantity of Tobacco to be levied this present Year, on the Inhabitants of that part of St. Paul's Parish lying in Talbot County, in Proportion to an Assessment levied by the above recited Act, on the Inhabitants of said Parish, in Queen Anne's County, and also a Proportion of One Third Part of 160,000 lb. Tobacco more.]

And be it further Enacted That the Justices of Talbot County shall at their next Court to be held in November Assess on the Taxable Inhabitants of that Part of the aforesaid Parish which Lieth in the said County the other half of the said Sum of Tobacco which ought to have been assessed and Levied on them by the first & second Assessments directed by the said recited Act

[The other Half to be levied in Nov. Court 1770.]

And be it further Enacted That three Justices of Queen Anne's County and the Clerk thereof upon Notice from any one Vestryman of the said Parish shall meet at the Court House in the said County on the Eleventh day of January next under the Penalty of Five Hundred pounds of Tobacco each and upon the Certificate aforesaid of the Number of Taxables for this present Year in that part of

p. 12  
[The Justices, of Queen Anne's County, with the Clerk, to meet . . .

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to assess  
on the tax-  
able Inhabi-  
tants of said  
Parish, their  
Proportional  
Part of  $\frac{1}{3}$  of  
the aforesaid  
Sum of  
160,000 lbs.  
of Tobacco.]

the said Parish which Lieth in Talbot County being Laid before them the said Justices or any two of them shall assess on the Taxable Inhabitants of that part of the said Parish which Lieth in Queen Anne's County their Proportionable part of one Third part of the aforesaid Sum of one Hundred and sixty Thousand pounds of Tobacco together with a salary of Five per Cent. to the Sheriff for collecting and paying the same a Certificate of which Assessment the Clerk of the said County shall forthwith deliver to the Sheriff thereof which said Quantities of Tobacco so as aforesaid to be assessed and which were omitted to be assessed by Virtue of the before recited Act shall be Levied collected paid and applied as by that Act the same were Directed to be Levied Collected paid and applied

[The re-  
mainning  $\frac{2}{3}$   
Parts of the  
said Tobacco  
to be as-  
sessed on the  
Inhabitants  
of said Par-  
ish in each  
County, re-  
spectively, in  
1770, and  
1771.]

And be it further Enacted That it shall and may be Lawfull to and for the Justices of Queen Anne's and Talbot County Courts for the Time being and they are hereby required to assess and Levy on the Taxable Inhabitants of Saint Pauls Parish aforesaid living in the said Counties respectively their Proportional parts of the remaining Two Third parts of the aforesaid One Hundred and sixty Thousand pounds of Tobacco together with the Sheriffs Salary of Five pounds of Tobacco per Centum for collecting the same at Two Equal Assessments the first of which Assessments to be made at their November Courts respectively which shall be in the Year one Thousand seven Hundred and Seventy and the other at their then next succeeding November Courts

[which may  
be dis-  
charged as  
other Parish  
Taxes.]

And be it Enacted that the aforesaid Quantity of One Hundred and sixty Thousand Pounds of Tobacco shall and may be Collected by the Sheriffs of the said Counties respectively together with their Commission as aforesaid and may be paid and Discharged by the Parishioners aforesaid in the same manner that other Parish Taxes are collected paid and Discharged and shall be by the said Sheriffs accounted for and paid to the Vestrymen and Church wardens of Saint Pauls Parish aforesaid for the Time being who are hereby authorized and impowered to apply three fourth Parts thereof towards Building and Compleating the Parish Church aforesaid and the other fourth Part thereof towards building and Compleating an Addition and Galleries in the aforesaid Chapel called Wye Chapel in such Manner as to them shall seem most necessary and Convenient and to no other use or Purpose whatsoever, And that the said Justices may be enabled to apportion the said remaining part of the said Sum of one Hundred and sixty Thousand pounds of Tobacco among the Taxable Inhabitants of Saint Pauls Parish aforesaid,

[How to be  
applied.]

[The Clerks  
to Certify to  
each other,  
the Number  
of Taxables  
in the Parish  
which lies in  
each county.]

Be it further enacted That the Justices for the Time being of Queen Ann's and Talbot County Courts shall cause the Clerks of the said Courts to Certify each to the other by the Third day of their Courts to be held in the Month of November in the Year of our Lord one Thousand seven Hundred and seventy and by the Third



day of their then next succeeding November Courts the Number of Taxable Persons which shall be in that part of Saint Pauls Parish which Lieth in Queen Anne's County and in that part of the said Parish which Lieth in Talbot County aforesaid respectively in each of the said Years

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1769  
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By the Lower House of  
Assembly Dec.<sup>r</sup> 15.<sup>th</sup> 1769.  
Read & assented to

Signed by order.  
T. Wright Cl. lo: ho:

On behalf of the Right  
Honourable the Lord Pro-  
prietary of this Province,  
I Will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Dec.<sup>r</sup> 16.<sup>th</sup> Read  
and assented to

Signed by order.  
U Scott Cl. Up: Ho:

Great Seal in  
Wax appendant

No. 14 An Act for emitting Bills of Credit and other Purposes therein mentioned

Whereas an Emission of a Sum of Money in Bills of Credit is at this Time of general Scarcity of Specie thought Expedient for carrying on the Trade and commerce of this Province for circulating whereof it is judged best to issue the same upon Loan

[Preamble.]

Be it Therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice & Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That Bills of Credit of the Denomination of Dollars and parts of a Dollar to the amount of Three Hundred and Eighteen Thousand Dollars shall be printed and Struck with all Convenient speed on good Single paper under the Care & Direction of the Commissioners to be appointed by Virtue of this Act in Manner & form following to wit "This indented Bill of shall entitle the Bearer hereof to receive Bills of Exchange Payable in London or Gold and Silver at the rate of four Shillings and sixpence Sterling per Dollar for the said Bill according to the Directions of an Act of Assembly of Maryland Dated in Annapolis this day of Anno Domini

[Bills of  
Credit to be  
printed, un-  
der the Di-  
rection of  
Commission-  
ers.]

" which Bills of Credit shall be Signed Numbered and Dated by the Commissioners aforesaid as herein after Directed and the Number of Dollars or the parts or part of a Dollar by which each Bill shall be Denominated shall be printed at the Top of such Bill in Words at Length with the like Devices and marks on the Bills and by the Like Stamps and Flowers as were used in Printing the Bills of Credit last emitted in this Province as well readily to Distinguish their Several Denominations as to prevent Counterfeits the Number of which Bills as well as the Denominations thereof shall be the following and no other to wit Twelve Thousand Bills of Eight Dollars each, Twelve Thousand Bills of Six Dollars each, Twelve Thousand Bills of Four Dollars each, Twenty one Thousand Bills of Two Dollars each, Twenty one Thousand Bills of One Dollar each, Twenty one Thousand Bills of Two-third parts of a Dollar

[Their  
Tenor.]

[Their Num-  
ber and De-  
nomination.]



Liber R. G 1769 each Eighteen Thousand Bills of Half a Dollar each Twenty one Thousand Bills of one Third part of a Dollar each Eighteen Thousand Bills of Two-Ninth parts of a Dollar each, Eighteen Thousand Bills of One sixth part of a Dollar each and Eighteen Thousand Bills of One Ninth part of a Dollar each. And the said Commissioners are hereby Directed and required to use the best of their Care and Diligence that the said Bills according to their respective Denominations aforesaid and according to the Manner and Form aforesaid be forthwith printed and that the Number of any of the Denominations thereof be not Exceeded or any Clandestine or Fraudulent Practice used by the Printer his Apprentices Servants or others concerned therein.

[The Commissioners to see the Printing performed.]  
p. 14

[Printers, &c. to be sworn.] And be it Enacted that the Printer who shall be Employed in Printing and Stamping the said Bills of Credit and all his Apprentices and Servants which he may employ in the said Work shall before he or they begin or enter upon the same take before some Justice of the Provincial or County Court the following Oath to wit "I A.B. do swear that I will truly faithfully and Honestly perform the Duty of Printer agreeable to the Directions of an Act of Assembly of this Province entitled an Act for emitting Bills of Credit and other Purposes therein mentioned and will not advisedly Print or Stamp any greater Number of Blank Bills of Credit than in that Act mentioned or of other Denominations than therein expressed except such Sheets as may be Blotted unfair or imperfect in the impressing or Printing thereof that the same shall be unfit for use. So Help me God." And if such Printer himself or any of his Apprentices or Servants with his Privy shall Advisedly Print or Stamp any greater Number of the Bills aforesaid or of any other Denominations than by this Act is Limited and expressed contrary to the True Intent & meaning thereof such Printer shall Forfeit and pay the Sum of Five Hundred pounds Current Money to be recovered by Action of Debt or Bill of Indictment wherein not more than one Imparlance shall be allowed And any Apprentice or Servant of such Printer who shall Advisedly Print or Stamp any greater Number of the Bills aforesaid or of any other Denominations than by this Act is Limited and expressed contrary to the True Intent & meaning thereof shall on Conviction in due Course of Law receive Corporal Punishment by Whipping not exceeding Thirty nine Stripes,

[The oath.]

[Penalty on the Printer, &c. for Breach of Duty.]

[One or both the Commissioners to attend the Press, &c.]

Be it also Enacted that the Printer of the said Bills shall not by himself Servants or any other Person by him employed presume to Print stamp stich or bind the said Bills or any of them but in the Presence of one or both of the said Commissioners who are hereby required and Directed to be present and at all Times when there shall be any Intermission of the said Work of Printing or Binding the said Commissioners shall safely and securely Lock up the Press Stamps and Flowers with which the said Work shall be performed

and the Impressions that shall be then made in the Room in which the Printing and Binding aforesaid shall be done and the Keys of such Room shall keep in their Possession And when all the said Bills shall be printed and Stamped the Stamps and Flowers by which such Impression shall be made shall be Delivered by the Printer to the said Commissioners Under the Penalty of Five Hundred pounds Current Money to be recovered as aforesaid And the said Commissioners are hereby Directed and required to receive the said Stamps and Flowers into their Possession and the same safely keep in one of the Iron Chests in their Office under the Penalty of Five Hundred pounds Current Money each to be recovered as aforesaid And the said Commissioners shall out of the Bills of Credit to be Emitted in Virtue of this Act issue and pay to the Printer who shall Print stamp stich and Bind the said Bills of Credit One Thousand of the said Dollars for his said Services and the Paper Ink and other Materials necessary for the said Work

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1769

[The Stamps and Flowers to be delivered to the Commissioners, and deposited in one of the Iron Chests, under Penalty.]

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[Allowance to the Printer, for his Services.]  
[Persons counterfeit- ing Bills of Credit, or Bills of Exchange, to suffer Death.]

And be it further Enacted that any person or Persons who shall Counterfeit any of the said Bills of Credit or who shall forge any of the Bills of Exchange directed to be drawn by this Act or alter the Sum expressed in any of the said Bills of Credit or Bills of Exchange and his her or their Aiders or Abettors or who shall offer or cause to be offered in Payment or utter or cause to be uttered any such counterfeit forged or altered Bill of Credit or Bill of Exchange knowing the same to be Counterfeit forged or altered and shall be thereof Convict by due Course of Law or stand mute or Peremptorily challenge above the Number of Twenty of the Pannel shall suffer Death as a Felon or Felons without benefit of Clergy—And all persons into whose Hands any of the said counterfeit forged or altered Bills may happen to come shall forthwith Deliver the same to some Provincial or County Justice who shall Cause the Name of him her or them that Delivered the same and of the Person or Persons from whom the same was taken to be indorsed on the Back thereof which Bill or Bills shall be safely kept by the said Provincial or County Justice and be forth coming when there may be Occasion—And Whereas the Trust to be reposed in the said Commissioners will be of very High importance to the Public and will require Persons of known and approved Character and such as are well Conversant in Business and have an extensive knowledge of the Circumstances of the Inhabitants of this Province—

Be it Therefore Enacted by the Authority Advice & Consent aforesaid that an Office shall be kept at Annapolis under the Management of Two such Persons Commissioners who shall reside in the City of Annapolis to be Nominated & appointed by the Governor or Commander in Chief of this Province for the Time being to put this Act in Execution who shall have Power to remove either of them in Case of Misbehaviour or Disability to Act which Commissioners shall be

[Two Commissioners to be nominated by the Governor,]

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[who are in-  
vested with  
Power to  
bring Suits,  
&c.]

[Hours of  
attendance  
every Tues-  
day through  
the Year, or  
oftener, if  
required.]

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[Their  
salary.]

[Bond to be  
given by the  
Commission-  
ers before  
they enter on  
the Trust.]

stiled and called Commissioners for Emitting Bills of Credit and by that Name and stile shall have Continuance and Succession during the Continuance of this Act for directing managing and performing all Matters and Things hereby enjoined and required to be done and Transacted by them and if either of the said Commissioners shall happen to die resign or be removed as aforesaid it shall and may be Lawfull for the Governor or Commander in Chief for the Time being from Time to Time during the Continuance of this Act to appoint some other fit Person or Persons in the Place or Places of such Commissioner or Commissioners so dying resigning or removed as aforesaid which Commissioners to be appointed by Virtue of this Act shall be able and capable in Law by the Name of the Commissioners for emitting Bills of Credit to sue & implead be sued and impleaded Answer and be Answered in all Cases relating to the Trust hereby reposed in them in all Courts and places whatsoever And by that Name to do and Execute all other Matters and Things that to them shall or may appertain to do and perform pursuant to this Act and that the said Commissioners for the Time being shall duly attend from Nine of the Clock in the Forenoon till Twelve and from Two of the Clock in the Afternoon till four every Tuesday in the Months of November December January and February and from Eight of the Clock in the Morning till Twelve and from Two of the Clock in the afternoon till Six every Tuesday in the other Months of the Year or oftener if required during the Continuance of this Act and such of the said Commissioners as shall Execute the said Trust shall be allowed out of the said Bills of Credit for their Service and Trouble after the rate of Four Hundred Dollars each for the first year and after the rate of Three Hundred and Twenty Dollars for every Year after during the Continuance of this Act But the said Commissioners before they enter upon the Execution of their said Trust shall severally before some Justice of the Provincial Court enter into Bond with Two or more Sufficient Sureties jointly and severally in the Penalty of Six Thousand Pounds Sterling Money each Payable to the Right Honourable the Lord Proprietary for the Time being Conditioned for the observance and Execution of the Trust hereby reposed in them and shall also before such Provincial Justice (who is hereby empowered and required to Administer the same) take the Several Oaths appointed by Law to be taken to the Government Subscribe the Oath of Abjuration and repeat and Subscribe the Test and take the following Oath to wit. "I A.B. do swear that I will according to the best of my Skill and knowledge faithfully impartially and truly demean myself in discharge of the Trust committed to me by an Act of Assembly of this Province entitled an Act for emitting Bills of Credit and other Purposes therein mentioned according to the Purport and Tenour of the said Act so as none may be Prejudiced by my Consent Privy or Procurement. So Help me God."

And be it further Enacted that the said Commissioners after they are so Qualified shall Proceed to give Directions for Printing the said Bills of Credit according to the Directions of this Act and after the same are so printed shall Sign and Number so many of the said Bills of Credit as shall amount to Three Hundred Thousand Dollars for Emission and no more and Number Counter Parts of them and such of them as shall from Time to Time be so Signed shall Deposit and keep in one of the Iron Chests now in the House called the Paper Currency Office with Two Strong and Substantial Locks of Different Construction and that each Commissioner shall keep a Key to the end that no Bills of Credit which shall be Signed be taken out or disposed of but by or in the presence of both the said Commissioners which Chest shall be kept by them in the Repository of the said Office and their Office shall be kept and all the Business relative to this Act shall be done in the said House called the Paper Currency Office belonging to the Province and the said Commissioners shall keep true fair and methodical Accounts of all their Transactions and Proceedings in Virtue of this Act which Accounts a Committee of both Houses of Assembly shall be appointed every Session to inspect and Examine and the said Committee shall inspect and examine the Accounts and Proceedings of the said Commissioners who are hereby required and enjoined to Lay a full and fair State of their Proceedings before such Committee to the end they may be Satisfied that the Sums for which Bills shall have been issued pursuant to this Act be not exceeded and may be acquainted from Time to Time with a State of the whole Transactions and Affairs relating to the said Office and of the Management and Behaviour of the said Commissioners which Committee shall every Session Report to the Assembly the State and Condition of the said Office and the Conduct and Behaviour of the said Commissioners

Liber R. G.  
1769  
[Bills of  
Credit to be  
printed under  
the Direc-  
tions of the  
Commission-  
ers, &c.]

p. 17

And be it further Enacted that the said Commissioners shall at the proper Cost and Charge of the Province out of the said Bills of Credit Provide Books, Paper Ink Quills Wax Wafers Printed Blank Bonds & other Necessaries for putting this Act in Execution and for the more regular Management of the Affairs relating to the said Trust the said Commissioners are hereby impowered to choose and employ a fit and able person for their Clerk to whom they shall pay for his Service out of the Bills of Credit aforesaid at the Rate of Three Hundred Dollars per Year for the first year and at the Rate of Two Hundred and fifty Dollars per Year every Year afterwards which Clerk as often as one shall be so appointed shall before he enters upon the Execution of his said Office before some Provincial Justice enter into Bond with Sufficient Sureties jointly and severally in the Penalty of One Thousand pounds Sterling Payable to the Right Honourable the Lord Proprietary for the Time being Conditioned for his faithfull & Honest Discharge of his Duty of Clerk aforesaid

[Books,  
Paper, &c.  
to be pur-  
chased for  
putting this  
Act in Exe-  
cution, and  
the Commis-  
sioners to  
employ a  
Clerk.]

[His salary.]

[The Clerk  
to enter into  
Bond.]



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and for his keeping true fair and regular Accounts and Entries of the Proceedings of the said Commissioners and shall also before such Justice who is hereby impowered and required to Administer the same take the several Oaths appointed by Law to be taken to the Government Subscribe the Oath of Abjuration repeat and Subscribe the Test and take the following Oath to wit. "I A.B. do swear that I will truly and faithfully perform and Execute the Office and duty that is Directed & required of me as Clerk of the Commissioners for Emitting Bills of Credit by an Act of Assembly of this Province entitled an Act for emitting Bills of Credit and other Purposes therein mentioned And that I will keep a just and true Account of all Bills of Credit which shall be issued and paid out of the said Office and of the Names of those to whom the same shall be paid & Delivered and all other Necessary Accounts relating to the said Bills of Credit and true Entries make of all other Proceedings and Transactions of the said Commissioners without any fraudulent Practice whatsoever—So Help me God."

[The Commissioners and clerk's Bonds to be recorded in the Provincial Office.]

And be it further Enacted that the Provincial Justice or Justices before whom the said Bonds of the said Commissioners or their Clerks shall be entered into shall indorse an Order under his or their Hands on the Back of the same Bonds respectively requiring the Clerk of the Provincial Court immediately to Record among the Land Records of his Office such Bond and Order and the same Bond shall within Five days thereafter deliver to the Clerk of the Provincial Court under the Penalty of One Hundred pounds to be recovered as aforesaid and the said Clerk shall immediately so Record the same and after the recording aforesaid deliver the Original to the Register of the Chancery Court to be by him safely kept in the Chancery Office And an Attested Copy of the Record of the said Bond and Order from the Provincial Records shall be as good Evidence to all Intents and Purposes as if the Original was Produced & proved in Court And to the end the said Bills of Credit may be as equally usefull to the Inhabitants of this Province and the Circulation thereof as Speedy and Diffusive as Possible

p. 18

[Bills of Credit to be lent out in sterling, at 4 s. 6 d. per Dollar. Sum to be lent to one Person within the First Six

Be it enacted That the said Bills of Credit shall and may be by the said Commissioners Lent out to any Person or Persons Inhabiting and residing within this Province in Sterling at the rate of four Shillings and six pence Sterling per Dollar upon Interest on Bond with good Security in Manner herein after Directed that is to say At any Time within the first six Months next after the issuing any of the said Bills of Credit to be emitted by Virtue of this Act any Sum or Sums not exceeding one Thousand Dollars nor Less than one Hundred Dollars to one and the same Person or Persons And at any Time after the end of the said Six Months any Sum or Sums not Less than One Hundred Dollars to one and the same Person or Persons the respective Borrower at the Time of any such Loan where



the same doth not Exceed Three Thousand Dollars giving Bond with one or more Sureties at the Discretion of the said Commissioners and where such Loan doth Exceed Three Thousand Dollars giving a Seperate Bond for every Three Thousand Dollars of such Loan with one or more Sureties as aforesaid who at the Time thereof shall not be bound as Sureties in the said Office for any Sums to the amount in the whole of more than Four Thousand Dollars to the Intent that not more than Four Thousand Dollars in the whole may at any Time rest on the Solvency or Sufficiency of the same Sureties All which Bonds shall be Payable to the said Commissioners for the Time being in Double the Principal Sum Conditioned for the Payment of the sum Lent with Interest at the rate of Four per Cent by the Year at some short day to be agreed upon, and it is hereby Declared to be the Duty of the said Commissioners not to regard applications for the Loan of Money or Transacting any other Business in their Office but only in Course and according to their Priority which Applications shall be Personally made and at the same Time that the Loan of Money or the doing any other Business in the said Office shall be required

Liber R. G.  
1769  
Months,  
and at the  
Expiration  
thereof on  
Condition,  
&c.]

[Bonds to be payable to the Commissioners, at 4 per cent Interest. Application to be regarded according to Priority.]

And be it further Enacted that upon all Loans by this Act intended the Commissioners shall take all Possible care that each of the Sureties on the said Loans have an Indefeasible Estate in Fee Simple in Messuages Lands Tenements & Hereditaments situate Lying and being within this Province in the whole to Double the Value for all the Sums for which they shall be Sureties free from all Incumbrances except the Lord Proprietarys Quit Rents. And for the better discovery of Incumbrances which may affect the Real Estate of any Borrower or Borrowers his her or their Surety or Sureties it shall and may be Lawful for the said Commissioners or such as they shall appoint from Time to Time to make Searches in any Offices in this Province and if there be Occasion take Copies or Transcripts of the Dockets or Notes of any Judgments Mortgages and Entails or other Incumbrances kept in any of the said Offices without paying any Fee or Reward for the same—

[Each of the Sureties upon all Loans by this Act, to have a Fee Simple Estate to double the Value lent clear of Incumbrances.]

And be it further Enacted That all Bonds so entered into as also all other Bonds taken by the Commissioners aforesaid for Money Bills of Credit or Bills of Exchange to be Lent by Virtue of this Act shall be a Lien upon and Bind the Real Estates of the Obligor and his Sureties into whose Hands soever the same may come from the Day of the Execution of such Bond or Bonds respectively and when any person or Persons who shall during the Continuance of this Act pass any Bond or Bonds for any Sum or Sums borrowed in Virtue of this Act payable to the Commissioners aforesaid shall fail in Payment of the Interest or Principal and need may require Suing any such Bond or Bonds for the better securing the Sums due it shall & may be Lawful for the Commissioners for the Time being to cause the Clerk of the

[The Bonds entered into, shall be a lien upon, and bind the Real Estates of the Obligor and his sureties, &c.]

Liber R. G. Provincial Court to enter such Bond or Bonds in the Records of the  
1769 said Court and thereupon to order Process in the Nature of a Scire facias against the Debtor or Debtors or his her or their Heirs Executors Administrators or Devisees and the Surety or Sureties of such Debtor or Debtors or the Heirs Executors Administrators or Devisees of such Surety or Sureties and each of such Surety and Sureties respectively to appear and shew Cause at the then next Provincial Court any they have why Execution should not issue on such Bond or Bonds which Process being served Twenty Days before the return thereof and no Appearance entered or if Appearance no good Cause shewn to the Contrary at the said Court to which the same is returnable it shall and may be Lawful by the Direction of the said Commissioners to Issue Execution against the Body Goods or Chattels Lands or Tenements Rights or Credits of such Defendant or Defendants according to the Nature of the Case having respect to the Right or degree in which such Defendant or Defendants shall stand or be—

[Any Obligor, &c., making Conveyances after executing Bonds, &c. The Commissioners to proceed by Scire Facias &c.] And be it further Enacted, That in Case any Obligor or Obligors his her or their Surety or Sureties after Execution of such Bond or Bonds shall have aliened or Conveyed away the whole or any part of his her or their Messuages Lands Tenements or Hereditaments it shall and may be Lawful for the said Commissioners to proceed in Manner aforesaid by Scire facias against the Terre Tenant or Tenants who being warned Twenty days before the return of said Process in manner aforesaid and not appearing or if appearing not showing sufficient Cause to the Contrary Execution shall and may be issued against the Lands Tenements and Hereditaments so aliened or Conveyed away by Fieri facias or otherwise agreeable to the Directions of the said Commissioners—

[On Process issued, the Justices of the Provincial Court to oblige the Defendants to plead, &c.] And be it further Enacted, That in all Cases whatsoever where any such Process as aforesaid shall be issued on such Bond or Bonds and served as aforesaid Twenty days before the return thereof it shall and may be Lawful for the Justices of the Provincial Court and they are hereby Authorized and required to Oblige the Defendant or Defendants to plead to issue the first Court and try the same without any Imparance unless it appear by Affidavit that a Material Witness or Witnesses is or are absent beyond Sea or is or are sick or unable to attend within the Province in which Cases and no other an Imparance may be granted at the Discretion of the said Court—

[Goods, &c. taken by Fieri Facias, &c. after Notice given, to be sold to the highest Bidder, for Gold or Silver, &c.] And be it further Enacted by the Authority aforesaid That in Case any Goods or Chattels Lands or Tenements shall at the Instance of the said Commissioners be taken in Execution by Virtue of any fieri facias or Attachment by way of Execution or otherwise the Sheriff or Coroner according as the said Writ shall be Directed shall after giving Ten days Notice by Advertisements set up in the most

Public Places in the County of the Sale of Goods and Chattels of the Time and place of such Sale and Thirty days Notice as aforesaid and Three Weeks Publication thereof in the Maryland Gazette of the Sale of Lands & Tenements set up and Expose to Sale in the most Publick Manner such Goods or Chattels Lands or Tenements to the Highest Bidder for Gold or Silver at the Rates specified in this Act or Bills of Credit any Law usage or Custom to the Contrary in any wise Notwithstanding—And so much of the Money arising by such Sale as shall be sufficient for that purpose shall be and the same is hereby directed and required to be by the said Sheriff or Coroner forthwith paid and satisfied to the said Commissioners towards the discharge and Payment of the Principal Money and Interest which shall be due on the said Bond or Bonds and Costs—And in case there shall be any Residue over and above sufficient for the Purposes aforesaid such residue shall be and is hereby directed to be by the said Sheriff or Coroner returned to the said Defendant or Debtor and for all Monies that shall come to the Hands of any Sheriff or wherewith he shall be chargeable on any process issued by Virtue of this Act the Office Bond of such Sheriff and his Sureties therein is hereby declared to be Liable—

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[and so much of Produce to be paid to the Commissioners as will satisfy the Sum due on Bond, &c.]

And be it further Enacted That in all Cases where the Surety or Sureties in any Bond or Bonds for Loans to be made by Virtue of this Act his her or their Heirs Executors Administrators Devisees or Alienees shall be called upon for the Payment of the Principal Money & Interest due thereon and shall actually pay the same the Commissioners aforesaid for the Time being shall and may and they are hereby required to Assign the same Bond or Bonds to the person or persons paying the same by Writing under their Hands and Seals by Virtue of which Payment and Assignment the Person or Persons so paying or discharging the same shall be entitled to have in his her or their own Name or Names the Like process and Execution against the Body Goods Chattels Lands Tenements and Hereditaments of the Principal Debtor his Heirs Executors Administrators Devisees or Alienees as the Commissioners themselves might have had in Cases of Non Payment—And that the Borrowers in the said Office and their Sureties may be the better known to all Persons who may incline to make Purchases of Land within this Province or have other Dealings therein—

[The Surety or Sureties, &c. discharging any Bond or Bonds when called upon, to be entitled to the same Process as the Commissioners might have had in case of Non-payment.]

Be it enacted That the Commissioners aforesaid shall at all Times when they are attending the said Office during the Continuance of this Act make known the Names of any Debtor or Debtors and their Sureties and the Sum or Sums they may be indebted to any Person applying for the same without fee or Reward—

[The Name or Names of any Debtor, &c. to be made known on application.]

And be it further Enacted That any Debtor to the said Office on Loan as aforesaid for the Bills of Credit so to be Lent out may discharge his Debt and Interest due to the said Office either in the said Bills of Credit or Bills of Credit heretofore Issued by the

[Debts to the Loan Office, how to be discharged.]

Liber R. G. Act entitled an Act for the Payment of the Publick Claims for  
 1769 emitting Bills of Credit and for other Purposes therein mentioned  
 p. 21 or in Silver and Gold at the rates and Values following to wit.

Spanish Silver Dollars.....@..0.. 4.6 Sterling each  
 English Coined Silver at their Sterling

Rates and Values

English Guineas .....@..1.. 1.0.....each  
 Half Johannes of Portugal Gold weigh-  
 ing 9 dwts.....@..1..16.....each

Moidores weighing 6.18.g.<sup>rs</sup>.....@..1.. 7.....each

Spanish Pistoles weighing 4.6.....@.....16.6.....each

And any other Gold Coin of the same

Fineness of Spanish or Portugal Coin }

@ £3..17.6 Sterling per Oz.....}

[Such Pay-  
 ments to be  
 let out again  
 on Loans,  
 except Bills  
 of Credit  
 emitted by a  
 former Act.]

And the said Commissioners are hereby directed and required to receive the same accordingly either for Principal or Interest and so received to Let out on Loan again in manner aforesaid except such of the Bills of Credit as were heretofore issued by the Last mentioned Act all which said last mentioned Bills of Credit the said Commissioners are hereby Directed and required as they come in to keep separate and safe in the said Iron Chest subject to the Inspection of the Committee of Assembly as aforesaid—

And Whereas it is Directed and required by the said Act that the Keys of the Repository and Iron Chest in the said Office should in the Intervals of Assembly be delivered one to the Governor one to the President of the Council and one to the Speaker of the Lower House of Assembly to be by them respectively safe kept and also that the Committee of Assembly should in Session Time have the Possession thereof and should Change torn and Defaced Bills and pay of such of the Publick Claims as should not have been paid by the Commissioners appointed by the said recited Act within the Time therein Limited and also correspond with the Trustees in London—

[The Com-  
 missioners to  
 have the  
 Care and  
 Custody of  
 Keys, &c.  
 and out of  
 the Bills of  
 Credit now  
 in the Office,  
 Change torn  
 and defaced  
 Bills;]

Be it Nevertheless hereby Enacted That the said Commissioners by this Act to be appointed shall have the Care and Custody of the said Keys, Repository Iron Chest and Bills of Credit now in the Office and shall at any Time hereafter on Application of any Person or Persons having any of the said Bills of Credit issued as aforesaid which shall be Torn or Defaced and unfit to pass without fee or Reward receive in such torn and Defaced Bills and them safe keep to be Counted and Burnt by the Committee of Assembly delivering to such Person or Persons Bills of Credit out of those now remaining in the Iron Chests as aforesaid to the amount of such Torn and Defaced Bills and pay off such of the said Publick Claims as are still unpaid in the same manner as the said Committee were directed to do—And the said Commissioners shall correspond with the Trustees residing in London as the Committee of Assembly aforesaid were

[and also to  
 correspond  
 with the  
 Trustees in  
 London.]



by the said recited Act Directed any thing in the said Act to the Contrary Notwithstanding—

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And be it further Enacted That upon Application during the Continuance of this Act to the Commissioners aforesaid by any person or persons having any Bill or Bills of Credit to be emitted by Virtue of this Act Torn or Defaced and unfit to pass the said Commissioners are hereby required without fee or reward to sign and deliver a new Bill or Bills of Credit to such Person or Persons in Lieu of such Torn or defaced Bill or Bills of the same Value therewith and to Number and keep counterparts of the New Bills so delivered and also to keep such torn and defaced Bills so taken in Together with an Account of the same for the Inspection of the Committee of Assembly aforesaid—

p. 22  
[Bills of Credit emitted by this Act, torn and defaced, on Application, the Commissioners to sign and deliver new Bills in Lieu thereof, &c.]

And be it further Enacted That the said Bills of Credit by this Act to be emitted shall not Continue in Circulation for a Longer Time than Twelve Years from the Tenth day of April next—And for the sinking the same the Commissioners aforesaid are hereby required within the first Six Months of the Last Year of the said Twelve Years to call in all the Debts due in the said Office on Loan to the End the said Bills of Credit may be brought in and Burnt or destroyed—And that within the Last Six Months of the said Twelve Years to wit at any Time between the Tenth day of October which shall be in the Year of our Lord one Thousand seven Hundred and Eighty one and the Tenth day of April which shall be in the Year of our Lord one Thousand seven Hundred and Eighty two any Person or Persons who shall have the Property in or Possession of any Number of the said Bills of Credit to be issued by Virtue of this Act shall be hereby entitled by delivering the same to the said Commissioners to demand and receive from them the full Sterling amount of the said Bills of Credit so delivered either in good Bills of Exchange at Forty days Sight to be drawn by the said Commissioners on the Trustees aforesaid residing in London or Gold and Silver as rated in and by this Act—

[Bills of Credit emitted by this Act, not to continue in Circulation longer than 12 Years from the 10<sup>th</sup> of April next, &c. but Debts to be called in the First Six Months of the last Year.]

And be it further Enacted That it shall not be Lawful for the said Commissioners to Lend out any Bills of Exchange Bills of Credit or Gold or Silver within the Last Year of the Twelve Years aforesaid and they are hereby impowered within the said Last Year but not before to receive in good Bills of Exchange at not more than Forty days Sight payable at some House in London if offered in discharge of any of the Loans by this Act directed which Bills they shall as soon as may be remit to the Trustees in London to be presented for Payment and the said Trustees are hereby required if any of the said Bills of Exchange are not paid to return—Protests immediately to the said Commissioners to recover the Money and Damages that may be due thereon and if paid to keep the Money in their Hands to the Credit of the Public of this province out of which to pay such

[Bills of Exchange, &c. not to be lent out within the last Year, but then, and not before, to be received in Discharge of Loans, &c.]

[Trustees, in London, to pay Bills drawn by the Commissioners, &c. to the Pro-

Liber R. G. Bills as the said Commissioners shall draw on them to the Proprietors  
 1769 or Possessors of such Bills of Credit as shall be brought in—And the  
 prietors of said Commissioners are directed to draw Bills of Exchange at Forty  
 Bills of days Sight on the said Trustees for the Purpose aforesaid any thing  
 Credit.] herein contained to the Contrary notwithstanding—

[Proviso.] Provided Nevertheless that the Bond or Bonds for which such  
 Bills of Exchange may be tendered or offered shall not be given up  
 nor be understood to be Discharged untill Advice shall be received  
 of the Payment of such Bills in London but that there shall be an  
 p. 23 Indorsement made on the Back of the Bond for which such Bills  
 of Exchange shall be paid of the receipt thereof and when the said  
 Bills shall be paid in London or if protested when the Sum Damages  
 and Charges of Protest shall be paid and satisfied and not before the  
 said Bond shall be discharged and given up but untill then shall stand  
 and remain as a Lien & Security as fully and effectually as when first  
 Executed—And the said Commissioners shall keep a fair Account  
 of all the said Bills of Credit so to be received in as well in Discharge  
 of Debts aforesaid as for which they shall have drawn Bills of Ex-  
 change or paid Gold and Silver and Lock up the said Bills of Credit  
 in the Iron Chest aforesaid to be examined cancelled and destroyed  
 by a Committee of Assembly at the next Session after receipt  
 thereof—

[Trustees And be it further Enacted That Messieurs Osgood Hanbury,  
 appointed.] Sylvanus Grove, and James Russell Merchants in London are hereby  
 declared to be the present Trustees to do and perform all and  
 every the Trusts still Continuing under former Acts of Assembly as  
 well as those established & directed by this Act to be Executed in  
 London—

[Recital of And Whereas it is directed by the said recited Act for Payment of  
 Part of a the Public Claims for emitting Bills of Credit and for other Purposes  
 former Act.] therein mentioned that one Commissioner should be nominated and  
 appointed to receive and take in the Bills of Credit which are put in  
 Circulation by the said Act to employ a Clerk and draw Bills of  
 Exchange on the Trustees in London to the Proprietors of the said  
 Bills of Credit in Satisfaction thereof which by this Act is become  
 unnecessary as it may be as well done by the said Commissioners to  
 be appointed by Virtue of this Act

[The Com- Be it Therefore Enacted That the said Commissioners within the  
 missioners Time appointed by the said recited Act shall and are hereby directed  
 within the and required to receive and take in the said Bills of Credit draw Bills  
 Time ap- of Exchange to the person or persons who shall have Possession  
 pointed by thereof on the Trustees in London and do and perform every Thing  
 said Act to that was Directed by the said Act to be done by the said one Com-  
 receive the missioner and the said Trustees in London are hereby directed and  
 the Bills of required to accept and pay such Bills in the same Manner as they are  
 Credit, and draw Bills of Ex- directed by the said recited Act to accept and pay the said one Com-  
 change, &c.]

missioner's Bills for the Purpose aforesaid any Thing in the said recited Act to the Contrary notwithstanding

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And Whereas it appears to this Assembly by the account Lately received from the Trustees in London that this Province hath now Thirty four Thousand Pounds Capitol Stock in the Bank of England twenty four Thousand of which with its Accumulation will be Sufficient to sink the Bills of Credit Lately emitted and now in Circulation at the Time appointed by Law for them to be called in And that great advantage may be gained to this Province by selling out the other Ten Thousand pounds Capital at this Time when the Price of Stock is very High and putting out the Sterling Money to Interest in the Province and Trade thereby be the better supported and carried on—

[Amount of the Capital Stock belonging to this Province ;]

Be it Enacted That the Trustees aforesaid residing in London shall be and are hereby Authorized and required to sell out the said Ten Thousand pounds Capital Bank Stock in such Sums as they may Think most to the Advantage of this Province for the best price in Money that can be got for the same at not Less than one Hundred and Fifty pounds Sterling for one Hundred pounds of the said Capital Stock and the produce thereof retain in their Hands for Payment of the Bills of Exchange herein after directed to be drawn on them by the Commissioners aforesaid and of such Sales immediately advise the said Commissioners

[Part of which to be sold but not under 150 Per Cent.]

p. 24

And be it further Enacted That the Commissioners aforesaid after they shall be so advised of the Sale of the said Bank Stock or any part thereof on the Application of any person or Persons residing and Inhabiting within this Province to borrow Sterling Money in Bills of Exchange are hereby required to Lend out upon Interest on Bond with good Security in the same Manner in any Sums and on the same Terms and Conditions as herein are directed respecting the Loan of Bills of Credit to be emitted by Virtue of this Act Bills of Exchange drawn by the said Commissioners on the Trustees aforesaid payable at Thirty days Sight to the amount and Value in the whole of the Produce of the said Ten Thousand Pounds Capital Stock or such part thereof as shall be sold as aforesaid to be paid in again in Gold and Silver or Bills of Credit now in Circulation or to be emitted by Virtue of this Act—

[The Commissioners, on Advice of such Sale, to lend out Bills of Exchange.]

[which may be paid in again in Gold or Silver, &c.]

And be it further Enacted That the said Commissioners as soon as may be after they shall be appointed by Virtue of this Act shall Transmit to the Trustees residing in London by different Opportunities two Copies of this Act and shall before any Money or Bills of Exchange shall be by them issued give Notice by Advertisement in the Maryland Gazette for at Least four Weeks Successively of the Times they shall begin to issue such Bills of Credit or Bills of Exchange respectively—

[Two copies of this Act to be transmitted to the Trustees and 4 weeks Notice to be given before any Bills of Credit, &c. shall be issued.]

Liber R. G. And be it further Enacted That the said Commissioners shall and  
 1769 they are hereby Directed and required to compel the Punctual Pay-  
 [The Com- missioners to compel the Punctual Payment of Interest, &c. which may be lent out again.] ment of the Interest Annually which shall be due on all Loans to be made by Virtue of this Act within Three Months after the same shall respectively become due and for any Interest they shall receive shall give a receipt to the Person paying the same and in Default of such Payment of Interest shall cause such Process as aforesaid to be issued to call in both Principal and Interest and shall and may Lend out again in Manner aforesaid such Gold and Silver or Bills of Credit to be emitted by Virtue of this Act as they may from Time to Time receive in from the Borrowers aforesaid, and more effectually to enforce the regular & Punctual Payment of the Interest which may become due on the said Loans and in which the Public is so greatly interested—

[Commis- sioners and their Sure- ties, liable on Failure of Duty.] Be it Enacted That in Case the Commissioners aforesaid shall not issue Process on any of the said Bonds by the space of Six Months next after the Interest on such Bond shall be due and payable then the said Commissioners shall be Chargeable with and their said Office Bonds and their Sureties therein be Liable for not only the Principal Money and Interest due on such Bonds but also Interest on the Interest as it shall arise till Actual Payment into the said Office of the Principal and all such Interest on the same Bond and the better to support the Credit of the said Bills now to be emitted—

p. 25 Be it Enacted That whenever the Current Exchange between this Province and London shall be more than at the rate of four Shillings and six pence Sterling per Dollar that is when Dollars will not Purchase Bills of Exchange at that rate or under then and so Long as the Exchange shall keep so above par it shall not be lawful for the said Commissioners to Lend out any of the Bills of Credit they may then have in their Office, And it shall and may be Lawfull also whenever Exchange shall be at or above par that is when Bills of Exchange will Purchase Gold or Silver at the Sterling Rates aforesaid or the Bills of Credit aforesaid or under the Rate of four Shillings and six pence Sterling per Dollar for the said Commissioners to draw Bills on the Trustees in London as aforesaid for any part of the Produce of the Ten Thousand pounds Capital Stock that shall not be Lent out as aforesaid and sell Them for the best Exchange to be had not under par for Gold and Silver or Bills of Credit as aforesaid and the same Lend out in manner aforesaid but shall not then Lend out any of the said Bills of Exchange any Thing herein contained to the contrary notwithstanding

[When Ex- change shall be above Par, no Bills of Credit to be issued out of the Office, but the Com- missioners may draw Bills on the Trustees, and sell them for the best Exchange, in Gold and Silver, &c.]

[Debts due to the Public of this Province, to be called in,] And Whereas it appears to this general Assembly that there is now in the Hands of William Hunt and Mary Hunt acting Executors of Thomas Hunt who was sole Executor of William Hunt deceased Late of London Merchant the Sum of Four Hundred and seventy Pounds six Shillings and Ten pence Sterling Money belonging to



the Public of this Province and also that there is in the Hands of Jonathan Smith Executor of Peter Bayard late of Cæcil County deceased the Sum of one Hundred and Eighty eight pounds five Shillings Current Money remaining undisposed of part of the Five Hundred Pounds formerly taken out of the Loan Office to build the Goal for Cæcil County—

Be it further Enacted That the said Commissioners are hereby Authorized and required to Lend out the said Sum of Sterling Money on Interest as aforesaid on Bond and good Security in Manner as herein before directed and to draw a Bill or Bills of Exchange at forty days Sight therefor to the Person or Persons who shall borrow the same on the said William Hunt and Mary Hunt acting Executors as aforesaid the Payment of which Bills shall be a full discharge to the said William Hunt and Mary Hunt from the Public of this Province for the said Money and also that the said Commissioners shall and may receive from the said Jonathan Smith the said Sum of One Hundred and Eighty eight pounds five Shillings Current Money and the same when received Lend out on Interest with Security as aforesaid for the use of the Province and such Payment so made by the said Jonathan Smith shall be a full Discharge to him, And to the Intent that the Public Money may be drawn into Circulation and the Exigencies of Individuals be supplied on the Payment of moderate Interest and the Public thereby benefited—

Liber R. G.  
1769

[which may  
be again lent  
out on Inter-  
est.]

Be it further Enacted That the Several Lists and Payments required to be returned and made to the Treasurers of the Western and Eastern Shores of this Province respectively by an Act of Assembly entitled an Act for Licensing Ordinary Keepers Hawkers, Pedlars and Petty Chapmen shall from henceforth be returned and made to the Commissioners aforesaid by the Times in the Manner and under the same Penalties as the same by that Act were to be returned and paid to the Treasurers aforesaid Any Thing in the said Last mentioned Act contained to the Contrary notwithstanding. And the Monies which shall be paid to the Commissioners aforesaid by the said Sheriffs shall be placed out at Interest on Loan on Bond with good Security in the same Manner in every Respect as herein before directed as to the Loan of Bills of Credit to be emitted in Virtue of this Act.

[Lists and  
Payments, to  
the Trea-  
surers under  
a former  
Act, to be  
from hence-  
forth re-  
turned, and  
made to the  
Commission-  
ers, &c.]

p. 26

And be it further enacted by the Authority aforesaid That all Monies and Bills of Exchange which shall remain the said Office or in England in Stock or in the Hands of the said Trustees or in the Hands of the Debtors for the Loans aforesaid and the Interest arising therefrom after all the said Bills of Credit by this Act emitted shall be called in and sunk shall be applied and disposed of in such Manner and Form as the Assembly of this Province shall Direct and appoint.

[All Monies,  
&c. after the  
Bills of  
Credit shall  
be sunk, to  
be disposed  
of by the  
Assembly.]

Liber R. G. <sup>1769</sup> And be it hereby Declared and enacted That this present Act shall be taken and allowed as a publick Act and all Judges Justices and other Persons concerned are hereby required to take Notice thereof as such without pleading the same specially.

[Fines and Forfeitures under this Act, how to be disposed of.] And be it further Enacted That all Penalties and Forfeitures which shall be incurred and recovered under this Act shall be received by the Sheriff of the County wherein such Recovery shall be had and be by such Sheriff paid after deducting five per Centum for his Commission one Half thereof to the Informer if any and the other Half thereof if any Informer or if no Informer then the whole in the Hands of the said Commissioners to be by them Lent out on Interest in Manner aforesaid—

[Bills of Credit not a legal Tender, except under express Contract.] Provided always and it is the true Intent and meaning of this Act that nothing herein contained shall extend or be construed or taken to make any Tender of the said Bills of Credit in Discharge of any Contract whatsoever lawful except such Contracts as shall or may be made expressly and specifically for or for the Delivery of such Bills of Credit.

[Commissioner, or his Sureties, liable only for Transactions during his Continuance of Office.] Provided also and be it hereby enacted that no Commissioner or his Sureties shall be Liable by any Bond to be taken by Virtue of this Act for any fault or Miscarriage in the Execution of any of the Trusts committed to the Commissioners aforesaid other than such as shall happen in the Time of the Continuance of the respective Commissioner.

[Decay of Stadt House, in Annapolis.] And Whereas the Stadt House in the City of Annapolis is so much gone to Decay that it is become necessary to Build a new one as well for the Holding Assemblies and Provincial Courts as for providing safe and secure Repositories for the Public Records which are now kept in the present Stadt House,

[A new one to be built, in the same Place, under the Inspection of Superintendants,] Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent aforesaid That one good and Commodious House to be called the Stadt House shall be built as soon as conveniently may be in the City of Annapolis on the Hill whereon the present Stadt House stands to be well and securely covered with good Slate Tile or Lead under the Inspection and Direction of the Honourable Daniel Dulany, Esquire and Messieurs Thomas Johnson jun.<sup>r</sup> John Hall, William Paca, Charles Carroll (Barrister) Lancelot Jacques and Charles Wallace who are hereby appointed Superintendants for that Purpose or the Major part of Them with good and convenient Rooms for the upper and Lower Houses of Assembly and for holding the Provincial Court separate from each other two convenient Rooms for the use of Jurors attending the Provincial Court and four convenient Rooms for the use of Committees of the Lower House of Assembly And also good convenient safe and secure Rooms for Offices and Repositories of the Records of the

Upper and Lower Houses of Assembly, High Court of Chancery, High Court of Appeals and Provincial Court Prerogative Court and Land Office and that a Sum not exceeding Seven Thousand five Hundred pounds Sterling be applied to the use and Purpose of building and finishing the same and enlarging repairing and inclosing the Parade in the said City—

Liber R. G.  
1769

[Sum to be  
Applied  
for that  
Purpose.]

And be it further enacted That the said Superintendants or the major part of them shall and they are hereby impowered and required as soon as conveniently may be to agree with proper Workmen to build and Finish the said House in such manner and form as to them shall seem most convenient for the Uses and Purposes aforesaid and to Enlarge repair and inclose the said Parade in Manner herein after directed and to purchase and provide all Materials necessary for the same and to cause the same to be with all Convenient Dispatch built and Finished in a Strong and neat manner.

[The Superintendants to agree with Workmen, and purchase materials.]

And be it further Enacted That the said Parade shall be Laid with Flag or other Stone or Gravel and shall be inclosed with Iron Pallisades to be set up and fixed upon a good Stone or Brick Wall—

[The Parade to be repaired and enclosed.]

Provided always That the Expence of the Iron and Working thereof shall not exceed Five Hundred pounds Sterling and provided also that the said Parade shall not be extended in Length beyond the present Length thereof nor made to Exceed in the whole Breadth thereof One Hundred and sixty feet And for defraying the Expences thereof,

[Proviso.]

[Length and Breadth of the Parade ascertained.]

Be it further Enacted That the said Superintendants or the major part of Them shall and may from Time to Time as the Money shall be wanted draw Orders on the Honourable Charles Hammond Esquire Treasurer of the Western Shore his Executors or Administrators on Edward Lloyd Esquire late Treasurer of the Eastern Shore his Executors or Administrators and on the Executors or Administrators of James Hollyday Esquire, and Bedingfield Hands Esq.<sup>r</sup> Late Treasurer of the Eastern Shore for all the Monies in their Hands respectively subject to the Application of the general Assembly at the Time of such Draft including the Monies received by Them in Virtue of the said Act entitled an Act for Licensing Ordinary Keepers, Hawkers Pedlars and Petty Chapmen whose Orders for the same the said Treasurers or their Representatives aforesaid are hereby required to pay. And the said Superintendants or the major part of them may and shall apply the Monies to be so received towards Defraying the Expence of Building and finishing the said Stadt House and Enlarging repairing and inclosing the said Parade. And if the same shall fall short of the necessary Expence thereof it shall and may be Lawful for the Commissioners for emitting Bills of Credit to be appointed by Virtue of this Act

[The Superintendants to draw Orders on the present Treasurer of the Western Shore, and on the late Treasurer of the Eastern Shore, &c. for all Monies in their Hands.]

Liber R. G. 1769  
[and if the same shall fall short, the Commissioners to pay the Superintendants Bills of Credit.]  
[Proviso.]

to pay to the said Superintendants for building the said Stadt House or the major part of Them so many of the said Bills of Credit as may be sufficient to defray the Expence of Finishing and Compleating the said House and Enlarging repairing and inclosing the said Parade in Manner aforesaid Any Thing herein before Contained to the Contrary notwithstanding

Provided always that the Bills of Credit so to be paid for the Purpose aforesaid together with the Money to be received from the said Treasurers and their Representatives as aforesaid at the Exchange of Thirty Three pounds Six Shillings and eight pence per Centum and at the rate of four Shillings and Six pence Sterling per Dollar shall not Exceed the said Sum of Seven Thousand five Hundred pounds Sterling.

[The Superintendants to keep fair Accounts.]

And be it further enacted That the Superintendants aforesaid for building the said Stadt House or the major part of them shall keep fair and distinct Accounts of all Monies which they shall receive and expend by Virtue of this Act and the same shall from Time to Time lay before the general Assembly of this Province for the Time being for their Inspection. And to the End that the Superintendants aforesaid may be enabled to cause the said Stadt House to be built large and commodious enough for the purposes aforesaid

[The present Stadt-House to be pull'd down, and Repositories provided for the Records.]

Be it further enacted That they or the major part of them may cause the present Stadt House to be pulled down and make use of any of the Materials thereof in the new Building that may be fit for such use or otherwise dispose of Them to the best Advantage and shall and may hire and provide at the Publick charge safe and secure Rooms for Offices and Repositories for the Records now kept in the Present Stadt House untill the Offices and Repositories to be built in the new Stadt House shall be finished and fit to receive the said Records,

[The House in which the Upper House of Assembly usually sits, vested in the Justices of Anne-Arundel County, and the Corporation of the City of Annapolis.]

And be it further Enacted That after the said Stadt House shall be built and finished as aforesaid the House in which the Upper House of Assembly usually sits and the Room thereto Adjoining commonly called the Conference Chamber shall be and are hereby vested in the Justices for the Time being of Ann Arundel County to and for the use of the same County and the City of Annapolis in which House the County Court of that County shall from Time to Time be Held and the same House shall to every Intent and purpose thenceforth be deemed the County Court House of the said County and the Records of the same Court shall be hereafter kept in the said Room called the Conference Chamber and at all Times when the said County Court shall not be sitting the Mayors Court and the Meetings of the Corporation of the City of Annapolis may be held in the said House.

[The Justices aforesaid to levy in 1771 any Quantity of Tobacco for

And be it further enacted That the Justices of Ann Arundel County aforesaid at the Time of Laying the Levy of the said County for the



Year Seventeen Hundred and seventy one shall be and are hereby empowered and required to Assess and Levy on the Taxable Inhabitants of the said County any Quantity they may judge necessary not exceeding Forty five Thousand pounds of Tobacco over and above the Sheriffs Salary of six per Cent. for collecting the same for taking and pulling down the present Chimney to the said Conference Chamber and building and erecting a Chimney to the said House in the Passage Leading from the Council Room to the Conference Chamber as near alike as may be in the part thereof out of the Roof to the Chimney of King William School and for erecting and putting up a Bench or Seat for the Justices Bar and Galleries for Jurors in the said House and for making above Stairs two Jury Rooms and for repairing and otherwise fitting up the said House and Room as Convenient as may be for a Court House and County Clerks Office and also for rough casting the Walls of the said House Room and King William School aforesaid which said Tobacco so to be Assessed shall and may be collected by the Sheriff for the Time being in the same Manner that the Public and County Levies are by Law to be collected and shall be payable in Money at the same Rates as such Levies are payable and all Monies and Tobacco that shall be collected as aforesaid shall be Laid out and expended by the Justices aforesaid for the Time being in and for the Purposes aforesaid and by the Sheriff who shall collect the same paid to their Order or Orders—

Liber R. G.  
1769  
repairing the  
said House,  
&c.]

p. 29

By the Lower House of  
Assembly Dec.<sup>r</sup> 15.<sup>th</sup> 1769.  
Read and assented to  
Signed by order.  
T. Wright Cl. lo: ho:

On behalf of the Right  
Honourable the Lord Pro-  
prietary of this Province,  
I Will this be a Law.  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Dec.<sup>r</sup> 16.<sup>th</sup> 1769.  
Read & assented to  
Signed by order.  
U Scott Cl. Up: Ho:

Great Seal in  
Wax appendant

No. 15 A Supplementary Act to the Act entitled An Act for the Direction of Sheriffs in their Offices and restraining their ill Practices within this Province,

Whereas by the said Act it was among other Things Enacted That no Sheriff or Sub Sheriff within this Province after the Publication thereof in their several and respective Counties wherein they dwell should take any Bond Bill or other Writing Obligatory of any Person or Persons upon any pretence whatsoever without indorsing the Account on the Back of the said Bond Bill or Writing Obligatory for which the same was passed and that if any Sheriff or Sub Sheriff within this Province should during the Time that he remained in his Place or Office upon any Pretence whatsoever take any Bond Bill or Writing Obligatory without indorsing the Account on the Back side of the said Bill Bond or Writing Obligatory as aforesaid by

[Preamble  
reciting Part  
of a former  
Act.]

Liber R. G. 1769 which it might appear upon what Consideration the same was taken the said Bond Bill or Writing Obligatory should be void and of no Effect and the Officer or Officers that took the same should Loose his Debt and for ever be debarred of suing any other Action for the Recovery of the same

p. 30 And Whereas it is found by Experience that the said Provision hath been often eluded by Sheriffs and Under Sheriffs their taking Promissory Notes and other written securities for ffees by them illegally charged without indorsing on such Notes the Account for which the Sum mentioned in such Notes became due which hath been understood not to be within the Provision of the said Act above recited to the great Damage and Injury of many of the good People of this Province For Remedy whereof

[Sheriffs, after the 1st Feb. taking any mort- gage, &c. without indorsing the Account thereon, for which same was taken, the same to be void & the Officer to lose the Debt,] Be it enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That no Sheriff or Sub Sheriff within this Province after the first day of February next shall take any Mortgage Promissory Note or inland Bill of Exchange whatever of any person or persons upon any Pretence whatsoever without indorsing the Account on such Mortgage Promissory Note or Bill of Exchange for which the same was passed, And if any Sheriff or Sub Sheriff within this province shall after the said first day of February next during the Time that he shall remain in his said Office upon any Pretence whatsoever take any Mortgage Promissory Note or inland Bill of Exchange without indorsing the Account on such Mortgage Note or Bill of Exchange by which it may appear for what Consideration the same was taken the said Mortgage Note or Bill of Exchange shall be void and of no effect and the Officer or Officers that took the same and his and their Assigns shall Lose the said Debt and forever be debarred from any other Action for the Recovery of the same any Law usage or Custom to the Contrary Notwithstanding.

[and any Sheriff, or Sub-Sheriff taking any Bond &c, if required shall deliver his Debtor a fair Ac- count of the Considera- tion, and on refusal or neglect to do the same, shall pay the Party in- jured the value of such Bond, &c.] And be it further Enacted That whensoever any Sheriff or Sub Sheriff aforesaid shall after the said first day of February next take any Bond Bill or Writing Obligatory or any Mortgage, Promissory Note or inland Bill of Exchange he shall Deliver to his Debtor if he shall require the same under the Hand of him the said Sheriff or Sub Sheriff a fair Account of the Consideration for which such Bond Bill or other Writing Obligatory Promissory Note or Bill of Exchange shall be taken And if any Sheriff or Sub Sheriff aforesaid shall refuse or neglect to do the same he shall Forfeit and pay to the party injured the Value of the Sum for which such Bond Bill or Writing Obligatory Mortgage Promissory Note or Bill of Ex- change shall be taken to be recovered by Action of Debt or on the Case in any Court that shall have Jurisdiction of such Sum with double Costs of Suit.

And be it also enacted That when and as often as any Sheriff or Sub Sheriff aforesaid shall after the said first day of February next take or receive of or from any person or Persons whatsoever any fee or fees which shall be claimed to be due to such Sheriff by Virtue of his said Office such Sheriff or Under Sheriff shall and he is hereby required to deliver to such person or Persons who shall demand the same a fair Account in Words at Length of the Services for which such fee or fees became due and give the said Person from whom he shall receive the same fee or fees a Receipt in Writing therefor And if any Sheriff or Sub Sheriff shall neglect or refuse so to do he shall forfeit and pay to the party grieved the Sum so taken and received to be recovered as aforesaid with double Costs of Suit—

Liber R. G.  
1769  
[Fees due to any sheriff, a fair account to be rendered and a Receipt given therefor, on Penalty.]

p. 31

By the Lower House of  
Assembly Dec.<sup>r</sup> 16.<sup>th</sup> 1769.  
Read and assented to  
Signed by order.  
T. Wright Cl. lo: ho:

On behalf of the Right  
Honourable the Lord Proprietary of this province.  
I Will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Dec.<sup>r</sup> 16.<sup>th</sup> 1769.  
Read and assented to  
Signed by order.  
U Scott Cl. Up: Ho:

Great Seal in  
Wax appendant

No. 16 An Act to repeal part of an Act to encourage the destroying of Wolves Crows and Squirrells.

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that so much of an Act of Assembly made at a Session of Assembly begun and held at the City of Annapolis the Third day of October one Thousand seven Hundred and Twenty eight entitled an Act to Encourage the Destroying of Wolves Crows and Squirrells as relates to the killing of Crows & Squirrels in the Several Counties of Saint Mary's, Kent, Somerset, Charles, Ann Arundel, Talbot, Cecil, Calvert, Prince Georges, Dorchester, Worcester and Frederick Counties be and is hereby repealed abrogated and made Null and Void—

[Part of the  
Act of 1728  
repealed.]

By the Lower House of  
Assembly Dec.<sup>r</sup> 18.<sup>th</sup> 1769.  
Read and assented to  
Signed by order.  
T. Wright Cl. lo: ho:

On behalf of the Right  
Honourable the Lord Proprietary of this Province.  
I Will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Dec.<sup>r</sup> 19.<sup>th</sup> 1769.  
Read & assented to  
Signed by order  
U Scott Cl. Up: Ho:

Great Seal in  
Wax Appendant

No. 17 An Act to appropriate the Half Acre of Ground therein mentioned to the use of the Public School in Frederick County.

Whereas the present Visitors of the Public School in Frederick County by their Petition to this general Assembly have set forth [Preamble.]

Liber R. G. 1769 That the funds appropriated for the use of the said School are insufficient to purchase Ground and make the necessary Buildings thereon and that there is a Convenient Vacancy for erecting the said Buildings on the Lots Laid off for Public Uses in Frederick Town and have prayed that an Act may pass to appropriate one half Acre of the said Lots on the North West Corner of the Court House for the Purpose aforesaid and the Justices of the said County have Certified the Truth of the Facts set forth in the said Petition and that the Prayer thereof might be granted with much Advantage to the County in general and without Injury to any Individual.

p. 32  
[Half an Acre of Ground in Frederick-Town, vested in the Visitors of Frederick County School, on which a House and other Conveniences to be built.]

Be it Therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Justices for the Time being of Frederick County aforesaid shall during the Sitting of the County Court cause to be Laid out and butted and bounded with Stones or good Locust posts one half Acre of the said Lots laid off for Public Uses in Frederick Town on the North West Corner of the said Court House and a Certificate of the Lines and Boundaries of the said half Acre of Ground shall cause to be entered on Record amongst the Land Records of the said County which said one Half Acre of Ground shall be and is hereby Vested in the Visitors of Frederick County School and their Successors for ever to and for the use of the said School And on the same half Acre of Ground shall be erected and Built a House and other Conveniences for a County School of the said County any former Act or Acts to the Contrary notwithstanding—

By the Lower House of Assembly Dec.<sup>r</sup> 18.<sup>th</sup> 1769.  
Read & assented to.  
Signed by order.  
T. Wright Cl. lo: ho:

On behalf of the Right Honourable the Lord Proprietary of this Province.  
I Will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of Assembly Dec.<sup>r</sup> 19.<sup>th</sup> 1769.  
Read & assented to  
Signed by order.  
U Scott Cl. Up: Ho:

Great Seal in  
Wax Appendant

No. 18 A Supplementary Act to the Act entitled An Act ascertaining the Height of Fences to prevent the Evil occasioned by the Multitude of Horses and restraining Horse Rangers within this Province and to redress the great Evil accruing to this Province by the Multiplicity of useless Horses, Mares and Colts that run in the Woods—

[Preamble, reciting Part of a former Act.]

Whereas it is enacted by the above recited Act That whenever any Horse Mare or Gelding shall break into any Corn Field or other Inclosure and the owner be not known that then and in all such Cases it shall and may be Lawful for the party grieved to take up



such Horse Mare or Gelding so Trespassing and the same to carry before the next Magistrate who shall be obliged to take an Account of the Marks of such Beasts both natural and artificial which the persons aggrieved shall set up in the most publick places in the same County and untill the owner shall be known it shall and may be Lawful for such injured Person to use and employ such Horses Mares and Geldings without incurring the Penalties in this Act therein after imposed not injuring such Beast by any careless or wilful means which Beast shall be Delivered in good order to the Person owning the same proving his property by the Testimony of one Witness before any Magistrate which Method by Experience is found inconvenient to the Owner or Owners of such Horses Mares or Geldings they being very often kept for a considerable Time in the Possession of the Party by whom such Horse Mare or Gelding are taken up before the same comes to the Knowledge of the owner of such Horse Mare or Gelding For Prevention whereof,

Liber R. G.  
1769

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Be it enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That from and after the End of this Session of Assembly the party grieved who shall take up any such Horse Mare or Gelding Trespassing as aforesaid shall be and is hereby obliged and directed to set up such Account so taken by the Magistrate as aforesaid describing the Marks of such Beasts both natural and artificial at the Court House Door and other Publick Places in the County where such Horse Mare or Gelding shall be taken up within Five days after such Account taken and moreover cause the Marks natural and artificial of such Horse Mare or Gelding to be recorded amongst the Records of such County Court within Five Days after such Account shall be taken and cause the same to be Published in the Maryland Gazette in one Month if the said Beast be taken up on the Western Shore and in Two Months if taken up on the Eastern Shore after such Account shall be taken which Publication shall be continued Three Weeks Successively in the said Gazette and the Expences arising thereon shall be paid by the Owner or Owners of such Horse Mare or Gelding at the Time of his receiving any such Horse Mare or Gelding any Law Usage or Custom to the Contrary in any wise notwithstanding,

[Notice to be given by the Party grieved; how and in what manner.]

And be it further enacted That any person that shall take up such Horse Mare or Gelding and that shall Act Contrary to the Directions of this Act shall for every such Offence forfeit the Sum of Ten pounds Current Money one half to the Informer the other half to the party grieved to be recovered in any County Court of this Province by Action of Debt Bills, Plaint or Information wherein no Essoin Protection or Wager of Law nor more than one Impar lance shall be allowed

[Penalty.]

Liber R. G. This Act to continue seven Years and unto the End of the next  
 1769 Session of Assembly which shall happen after the Expiration of the  
 [Continu- said seven Years—  
 ance.]

By the Lower House of  
 Assembly Dec.<sup>r</sup> 18.<sup>th</sup> 1769.  
 Read and assented to.  
 Signed by order.  
 T. Wright Cl. lo: ho:

On Behalf of the Right  
 Honourable the Lord Pro-  
 prietary of this Province,  
 I Will this be a Law  
 Rob.<sup>t</sup> Eden

By the Upper House of  
 Assembly Dec.<sup>r</sup> 19.<sup>th</sup> 1769.  
 Read and assented to  
 Signed by order.  
 U Scott Cl. Up: Ho:

Great Seal in  
 Wax appendant

No. 19 An Act for the speedy and effectual Publication of the Laws of this  
 Province and for the Encouragement of Anne Catharine Green  
 of the City of Annapolis Printer,

[Allowance Be it Enacted by the Right Honourable the Lord proprietary by  
 in Tobacco and with the Advice and Consent of his Lordships Governor and the  
 to A. C. Upper and Lower Houses of Assembly and the Authority of the  
 Green,] same, That there shall be Allowed to Anne Catharine Green of the

p. 34 City of Annapolis Printer the Several and respective Sums of To-

[in the in Baltimore County Five Thousand one Hundred and sixty Ann  
 several Arundel County Four Thousand Three Hundred & Eighty six,  
 Counties,] Charles County Four Thousand and forty two, Prince Georges

County Three Thousand nine Hundred and fifty six, Frederick  
 County Three Thousand five Hundred and Twenty six, Queen  
 Anns County Three Thousand four Hundred and Eighty three  
 Saint Mary's County three thousand three hundred and fifty four  
 Dorchester County three Thousand one hundred and eighty two  
 Kent County Three Thousand one hundred Thirty nine, Talbot  
 County three Thousand and fifty three Somerset County Three  
 Thousand and Ten Worcester County two thousand eight hundred  
 and eighty one Cecil County two thousand eight hundred and Thirty  
 eight and Calvert County Nineteen Hundred and Ninety which  
 said respective Sums of Tobacco the Justices of the Several County  
 Courts within this Province are hereby impowered & required to  
 allow and Assess in their respective County Levies Annually during  
 the Continuance of this Act together with the Sheriffs Salary of  
 Five per Cent for collecting the same and the several Sums of  
 Tobacco so to be allowed and Assessed as aforesaid shall be collected  
 by the Sheriff of each respective County and yearly paid by them  
 respectively free from any abatement or deduction to the said Anne  
 Catharine Green or her order for printing Stitching, covering with  
 Marble or blue Paper and Delivering a Copy of the Public Laws  
 made in this present Session of Assembly by the Fifteenth day of  
 May in the Year one Thousand seven Hundred Seventy—And the  
 Votes and Proceedings of the Lower House of Assembly of this

[Her duty  
 for such  
 Allowance.]

Present Session by the Twenty fifth day of May in the Year Seventeen Hundred and Seventy and also a Copy of the Laws of any future Session within Three Months and of the Votes and proceedings of the Lower House of Assembly within Four Months respectively after the end of every such Session during the Continuance of this Act to the Governor, and each Member of the Upper and Lower Houses of Assembly, and one Book of the Votes and Proceedings to the Clerk of each House and Three Books of the Votes and proceedings aforesaid to the Clerks of the Several & respective County Courts for the perusal of the Inhabitants of the Several and respective Countys and a Copy of the Public Laws during the Continuance of this Act to every Provincial and County Magistrate and a Copy of each Law bound up in Leather to each House of Assembly the High Court of Appeals the Provincial Court and to each County Court within this Province unless she shall be Hindered by the Death of her Hands employed in the press or by Sickness or the unavoidable accident of her press Breaking.

Liber R. G.  
1769

And be it Likewise enacted That if it should happen that in any Year during the Continuance of this Act there should not be any Session of Assembly held within this province whereby the said Anne Catharine Green may be enabled to print Laws and Deliver them within such Year that then and in such Case there shall be allowed to the said Anne Catharine Green the Several and respective sums of Tobacco in the Several Counties within this Province following to wit. In Baltimore County Four Thousand one Hundred and seventy, Ann Arundel County Three Thousand four hundred and forty Charles County Three Thousand one hundred & Eighty Prince Georges County three Thousand and ninety six Frederick County Two thousand seven Hundred and ninety five Queen Anns County two thousand seven Hundred and six Saint Mary's County two Thousand four Hundred and Ninety four Dorchester County Two Thousand four Hundred and eight Kent County two Thousand three hundred and sixty five Talbot County Two Thousand one Hundred and fifty, Somerset County two Thousand and Twenty Worcester County Nineteen Hundred and thirty five Cæcil County Eighteen Hundred and Ninety and Calvert County fourteen Hundred and sixty which said respective Sums of Tobacco last aforementioned together with the Sheriffs Salary of five per Cent for collecting the same the said Justices of the Several County Courts within this Province are hereby impowered and required to allow and Assess in their respective County Levy and shall be by the respective Sheriffs collected and yearly paid to the said Anne Catharine Green in manner and form aforesaid for her better support and Encouragement in serving this Province and residing within the same

[Her allowance in case of no Session.]

p. 35

Provided always and be it hereby Enacted, That it shall and may be Lawful for the Taxable Inhabitants of this Province upon whom

Liber R. G. 1769 the above Sums of Tobacco shall be assessed to discharge and pay the same in Gold and Silver at the same Rates as by the Act entitled  
[May be paid in Money.] an Act for amending the Staple of Tobacco for Preventing Frauds in his Majesty's Customs and for the Limitation of Officers fees made at a Session of Assembly begun and held at the City of Annapolis the fourth day of October in the Year of our Lord one Thousand seven hundred and sixty three Gold and Silver is Directed to be received in all Payments made in Virtue of that Act—

[Proviso in case of her Death or Removal.] Provided always That the said Anne Catharine Green shall actually reside at Annapolis during the Continuance of this Act and comply with the Terms thereof and that upon the Death of the said Anne Catharine Green or her removal from Annapolis or ceasing to comply with the Terms of this Act on her part the Payment of the Sums of Money herein before directed to be paid to her shall cease any Thing Contained in this Act to the Contrary Notwithstanding

[The Laws to have Marginal Notes, &c.] And be it Likewise enacted, That the Copy of the Public Laws made this Present Session of Assembly as well as those made at any future Session during the Continuance of this Act shall have Marginal Notes made and printed thereto as also the Date of the Year wherein such Laws were respectively made inserted in each Page and a List of such Laws made at the End of each Session with the Page wherein they are Printed all which the said Anne Catharine Green is hereby required and Obligated to do as well as all other Services herein before mentioned for the yearly Salary aforesaid—

[Proviso in case of her Failure of Duty.] Provided always, That it shall and may be Lawful for the Sheriffs of the Several and respective Counties respectively and they are hereby required not to pay to the said Anne Catharine Green the said respective Sums of Money herein before mentioned or any part thereof to be assessed and Levied for her use, for her Salary for this Present or any future Year during the Continuance of this Act unless it shall be made appear to them by a Certificate or receipt from the Sheriff of Ann Arundel County for the Time being that the Public Laws and the Votes and Proceedings of this Session and every future Session or Convention during the Continuance of this Act were Printed and Delivered to him within the Respective Times herein before directed any Thing herein before contained to the Contrary in any wise Notwithstanding—

[Laws and Votes to be forwarded as Public Letters.] And be it further Enacted, That the several and respective Sheriffs within this Province shall and they are hereby directed and required to receive and forward the said Laws with the Votes & Proceedings aforesaid to the Clerks of the several County Courts and Members of each House of Assembly as public Letters are by the Laws of this Province directed to be forwarded and under the Like Penalty to be recovered and applied in Like Manner—



And be it further enacted That from and after the first day of November next Ann Catharine Green of the City of Annapolis Printer shall be allowed by the Several and respective County Courts at the Laying their County Levy the Sum of Three Hundred and Twenty pounds of Tobacco per Annum for each Inspection respectively for Printing and delivering a sufficient Number of Books Notes and Manifests for the Inspectors of each Inspection within their Counties respectively to be levied and paid as aforesaid

Liber R. G.  
1769  
[320 lb. Tobacco allowed for each Inspection, for supplying Books and Notes.]

This Act to Continue untill the Twenty fifth day of December which shall be in the Year Seventeen Hundred and Seventy— [Duration.]

By the Lower House of  
Assembly Dec.<sup>r</sup> 18.<sup>th</sup> 1769.  
Read and assented to  
Signed by order.  
T. Wright Cl. lo: ho:

On behalf of the Right  
Honourable the Lord Proprietary of this Province,  
I Will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Dec.<sup>r</sup> 19.<sup>th</sup> 1769.  
Read and assented to  
Signed by order.  
U Scott Cl. Up: Ho:

Great Seal in  
Wax appendant

No. 20 An Act for the relief of certain Languishing Prisoners in the Several Goals therein mentioned

Whereas James Alexander and John Hayward of Dorchester County, John Hume, John Colbert Jame Connelly William Snelling William Cook, John Liddle, William Jones of Talbot County, Robert Lynn William Saffel, Mordecai Madden, George French, Henry Hoffstadler Christopher White, Absolam Bonham, Daniel Shultz, William Kimbol Bostain Keener, Josias Tennally and Thomas Ogden of Frederick County James Chalmers and Michael Hanchliff of Ann Arundel County, Nicholas Brown, Abraham Cordary, Henry Hancock Moses Greer, Price Collinges Lasarus Townsend William Sturgess, John Colloway, Edward Macglamery and William Spicer of Worcester County Robert Hatton Stephen Roach, Ann Dunker, John Watherly, William Turpin and James Acworth of Somerset County, John Hukil, Richard Ratclif Priscilla Dios, Nathaniel Bailly, Nicholas Seymour, Joseph Gill, George Hall, William Godwin, James Chaires, William Moor, William Berry, John Hinnimont and John Cockey of Queen Anns County Samuel Roberts, Mary Chick Thomas Chandler William Warner and Thomas Palmer of Cecil County Samuel Cross Alexander McCulloch, John Morris, Edward Mills Abraham Foster Thomas Fanning, Henry Slight of Baltimore County, Edward Gilpin of Prince Georges County, John Haley, James Ferrel, Arthur Savoy, Joseph Harrison jun.<sup>r</sup> John Duncastle William Wright and Ignatius Green of Charles County John Southwell William Payne, Henry Greenwell, Edward Greenwell, Electius Jarboe Joseph Clark and John Field of Saint Mary's County and Thomas Peplow of Calvert County by their Petitions to this present General Assembly have set forth—That they have respectively con-

[Preamble, with the Names of the Prisoners relieved by this Act.]

p. 37

Liber R. G. 1769 continued Prisoners for debt in the Custody of the Sheriffs of the respective Counties aforesaid for a Considerable Time past and still continue in the Like Deplorable Circumstances not being able to redeem their Bodies with all the Estate or Interest they have in the World which they would readily surrender up and part with to their Several and respective Creditors if they would accept of the same and grant the said Petitioners their Liberty which seems so unlikely for them to obtain that unless releived by a Particular Act to be passed in their favour which by their said Petitions they have Humbly Prayed they must inevitably continue Prisoners for Life, And as the Allegations of the said Petitioners appear to this general Assembly to be true and that their Lying in Goal can be of no advantage to their Creditors it is Humbly prayed that the said Petitioners may be releived according to their Prayers and that it may be Enacted.

[Prisoners to be discharged on delivering up their Effects on Oath.] And be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That in Case the said Prisoners shall deliver up and Surrender or cause to be delivered up and Surrendered to the Sheriffs of the

Respective Counties aforesaid in the Presence of Two Justices of the Peace of the Counties aforesaid whom the said Sheriffs are hereby required to Summon at the request of the said Prisoner at some Convenient Time after the end of this Session of Assembly all their Real & Personal Estate either in Possession, Reversion Remainder or in Trust or in or unto which they have any Claim or Interest whatsoever and Likewise convey assign Transfer and make over unto the Sheriffs respectively for the use of the said Creditors all such their Estate Interest or Claim as aforesaid after such Manner as by the said Sheriffs and by the major part of such Creditors or such of them as shall think fit to Direct therein or their Council Learned in the Law shall reasonably devise or require at the Costs and Charges of the persons who shall Claim benefit thereof so that the

p. 38 said Prisoners be not burthened with any Warranties thereby other than against themselves or those claiming by from or under them and that the said Prisoners at the Time of such their Surrender and Transferring their Estate as aforesaid shall take their solemn Oaths (or Affirmation if Quakers) before the said Two Justices aforesaid to the Effect following Viz.<sup>t</sup> "I AB do affirm or solemnly Swear

[The Oath.] That the Goods Debts and Effects which I have delivered assigned and made over to the Sheriff of      County in Trust for the use of my Creditors is the Whole Estate both Real and Personal, of my own in Possession or that I have any Title to in the World and that I have not any Estate, Goods or Effects of any kind whatsoever Left either in Possession Reversion or Remainder (the necessary Wearing Apparel of myself Wife and Children and Working Tools

excepted) and that I have not directly or indirectly sold Leased or otherwise conveyed disposed of or intrusted all or any part of my Estate thereby to defraud my Creditors or to Secure the same to receive or expect any profit or Advantage thereof, So Help me God" It shall and may be Lawful for the Sheriffs of the Counties aforesaid to Discharge the said Prisoners and suffer them to go at Large—

Liber R. G.  
1769

And be it further Enacted That if the said Prisoners or any of them shall be arrested or imprisoned on any Process sued out on any Judgment or Decree obtained against any of them for any Debt Damages or Costs contracted owing or growing due before the end of this Session of Assembly the Court out of which such process issued shall and may discharge such Prisoners on Motion and if the said Prisoners or any of Them shall be arrested or Imprisoned on any Process for the Recovery of any Debt Damages or Costs contracted owing or growing due before the end of this Session of Assembly the Court or Justice before whom such Process shall be returned shall and may discharge the Party arrested out of Custody on his or her common appearance being entered without any Special Bail—Provided That the discharge of the said Prisoners or any of them shall not Acquit any other Person from such Debt Damage or Cost or any part thereof but that all such Persons shall be answerable for the same in such Manner as they were before the passing this Act—

[To be discharged from future Arrests on Appearance, &c.]

Provided always and Be it Enacted That notwithstanding the discharge of the said Prisoners or any of Them all and every Debt or Debts due and owing from him her or them and all and every Judgment had or Decree obtained against him her or them shall stand and be good and Effectual in Law to all Intents and Purposes against the Lands Tenements and Hereditaments Goods and Chattels of him her or them and which he she or they or any other Person in Trust for the use of him her or them had at the Time of the Discharge of the said Prisoners or any of Them or which he she or they at any Time hereafter shall or may be any way Seized or Possessed of or interested in, to his her or their own use or in his her or their own Proper Right either in Law or Equity (except the Wearing Apparel, Bedding & Working Tools of him her or them not exceeding the Sum of Ten Pounds Current Money) and it shall & may be lawful for any of their Creditors their Executors Administrators or Assigns to take out new Execution or Executions without any Scire facias previous thereto against the Lands Tenements or other Hereditaments Goods and Chattels of the said Prisoners or any of them (except as before excepted) for the Satisfaction of his her or their Debts in such Sort manner and form as he she or they might Have done if the said Prisoners or any of them had not be[en] taken in Execution or Discharged by Virtue of this Act—

[Debts to stand good in case, &c.]

p. 39

And be it further Enacted by the Authority aforesaid That if any

Liber R. G. <sup>1769</sup> Action of Escape be brought against any Sheriff or any Suit or  
 [Action of] Action against any Justice or Justices for their performing their  
 [Escape.] Duty in pursuance of this Act he or they may plead the General  
 Issue and give this Act and the Special Matter in Evidence: and if  
 the Plaintiff be Non Suit or Discontinue his Action, or Verdict  
 pass against such Plaintiff or Judgment upon Demurer the Defendant  
 shall have and recover double Costs—

[Proviso, as] Provided also That Nothing in this Act shall extend, or be con-  
 to Escape.] strued to extend to bar any Creditor or Creditors of the before men-  
 tioned Prisoners from having and Maintaining any Action of Escape  
 against any Sheriff who hath permitted any Escape before the mak-  
 ing this Act—

[In case of] Provided Nevertheless That in Case any of the said Prisoners  
 Perjury.] shall at any Time after making such Oath or Affirmation as aforesaid  
 be convict of wilful and corrupt Perjury thereupon or of a Wilful  
 Breach or Noncompliance with the Tenor of such Oath or Affirma-  
 tion as aforesaid that then the said Prisoner shall upon such Con-  
 viction as aforesaid be wholly deprived of any Benefit intended to  
 him her or them by this Act and shall from thenceforth be Liable  
 to be prosecuted for any Debt or Demands whatsoever in the same  
 Manner as if this Act had never been made any Thing to the Con-  
 trary notwithstanding—

[Sheriff's] Provided also That the respective Sheriffs of the Counties afore-  
 Fees to be said shall be first paid and satisfied for their Imprisonment ffees be-  
 first paid.] fore any Creditor or Creditors shall have or receive any share or part  
 of the Estates of the said Prisoners respectively or of the Produce  
 thereof.

[Notice to] And be it further Enacted That after Public Notice given by  
 be given of Advertisements set up at the Court House Door of the County Thirty  
 the Sale of days at the Least of the Sale of any the said Prisoners Lands and  
 the Prisoners Five days at the Least of the Sale of any of the said Prisoners other  
 Estates, &c.] Estate the said Sheriffs to whom any of the said Estates Real or  
 Personal shall be surrendered and delivered up in Pursuance of this  
 Act shall set up and Expose such Estates to Sale by way of Publick  
 Vendue in the presence of one Justice of the peace and the produce  
 arising by such Sale shall be by the said Sheriff in Manner following  
 paid and Satisfied. That is to say after satisfaction of the aforesaid  
 Imprisonment ffees that the Estate and Interest of the aforesaid  
 Prisoners respectively upon which their Judgment Creditors, or any  
 Claiming or that shall claim under them by Assignment, or other-  
 wise have or shall have any Lien, or the Produce thereof shall be in  
 the first place after satisfaction of the Sheriffs as aforesaid applied  
 to the Discharge of the said Creditors according to the order and  
 priority of their Judgments and the Lien arising therefrom and that  
 the residue of the Estate and Interest of the said Prisoners respec-



tively, or the Produce thereof shall be distributed among all their Creditors that shall apply therefor within Thirty days after the aforesaid Sale in Equal Proportion to their Demands

Liber R. G.  
1769

And be it further Enacted That all the Accounts Bonds Notes and other Demands which any of the said Prisoners have against any Person or Persons whatsoever shall be by the said Prisoner or Prisoners Assigned to the Sheriff in whose Custody such Prisoner or Prisoners shall be at the Time of their Discharge and that such Sheriff or Sheriffs shall and may maintain an Action or Actions on such Demands as Assignee of such Prisoner or Prisoners in his own Name

[Bonds, &c. belonging to the Prisoners to be assigned to the Sheriff.]

Provided always That such Creditor or Creditors require and Demand such Sheriff to sue and give to such Sheriff a Bond to indemnify him against any Charge that may accrue to him by means of any such Suit and in Case of Recovery that then the Sheriff make distribution of what shall be recovered to the Person or Persons giving him such Security as aforesaid

And be it further Enacted by the Authority aforesaid That if any of the Persons intended to be releived by this Act are and shall be of sufficient Ability of Body to Labour such Person or Persons not having a Wife or Family shall be and are hereby obliged to serve for a Time not exceeding five Years to any Person or Persons who are or shall be inclined to purchase the Time of Servitude of such Debtor or Debtors and that the respective Sheriffs in whose Custody the aforesaid Debtors or any of Them are be and are hereby authorized and Obligated to Summon two Justices of the Peace in the respective Counties at the request of the said Prisoners as soon as Conveniently may be after the End of this Session of Assembly and after giving Five days Notice at the Court Houses of the respective Counties of the intended Sale of such Debtor or Debtors Expose to Sale in the presence of the said Justices such Debtor or Debtors and the Time of his or Their Servitude to the Highest Bidder and the Money arising from such Sale shall be as Effects of such Debtor or Debtors in the Hands of the respective Sheriffs Subject as aforesaid to a Distribution in Manner aforesaid and the Sale and Service of such Debtor or Debtors as aforesaid is hereby directed to be taken as full and sufficient Acquittal and discharge against all Debts due from such Debtor or Debtors before such Sale—Provided That in case it shall appear to the Satisfaction of the said Justices that any of the said Debtors have offered since their Confinement to make Satisfaction to their Creditors by Servitude and that their Creditors have refused to accept the same that the Time such Debtors have been Confined in prison shall be deemed and taken as part of the aforesaid Five Years and that they shall be obliged to serve only for such Time as will compleat Five Years from the day of such offer of Servitude and that in Case any such Single Person as aforesaid have

[Prisoners, if single, to be sold for Five Years.]

Liber R. G. 1769 been Confined in Prison for Five Years or any Longer Time that the said Person so Confined shall be Discharged upon the same Terms and in the same Manner that Persons having Families are by this Act directed to be Discharged—

By the Lower House of  
Assembly Dec.<sup>r</sup> 19.<sup>th</sup> 1769.  
Read and assented to  
Signed by order.  
T Wright Cl. lo: ho:

On behalf of the Right  
Honourable the Lord Pro-  
prietary of this Province,  
I Will This be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Dec.<sup>r</sup> 19.<sup>th</sup> 1769.  
Read & Assented to.  
Signed by order.  
U Scott Cl. Up: Ho:

Great Seal in  
Wax Appendant

No. 21 An Act for the building of a Parish Church in Christ Church Parish in Calvert County

[Preamble.] Whereas the Rector Vestrymen Church Wardens and sundry of the Inhabitants of Christ Church Parish in Calvert County have by their Humble Petition to this general Assembly set forth That the Parish Church in the County aforesaid is now become so much Decayed that they cannot with any degree of safety repair thereto and attend upon Divine Service And being desirous not only to remove this Inconvenience but to promote and Advance Religion and render the attendance on Publick Worship more safe and Agreeable by erecting on the Ground where the Church now stands a good sufficient and commodious Building for such necessary pious and Laudable Purposes have Humbly prayed that an Act may pass that a Quantity not exceeding one Hundred and sixty Thousand pounds of Tobacco may be Levied upon the Taxable Inhabitants of the said Parish by three equal Assessments—

And Whereas it has been represented to this general Assembly that there is now remaining in the Hands of the Vestrymen of the said Parish about the Sum of one Hundred Pounds which Sum together with the Materials of the old Church they Likewise pray may be applied towards the building and finishing of the said Church.

[The Vestrymen and Church-Wardens of Christ Church Parish employed to agree for the building a new church.] Be it Therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Vestrymen and Church Wardens of the said Parish for the Time being or the Major part of Them be and are hereby authorized and impowered to Treat and agree with such person or persons as they shall think proper to undertake erect and build and in a Workman like manner compleat and Finish a Parish Church on the Ground where the old Church now stands—

And be it further Enacted That any Three Justices of Calvert County aforesaid and the Clerk of the said County Court may and p. 42 are hereby impowered to meet Together at Prince Frederick Town in the County aforesaid at any Time between the Twentieth day of

December and the Twentieth day of January next and at such their Meeting the said Justices are hereby impowered authorized and required to apportion and Assess on the Taxable Inhabitants of the said Parish in this present year one third part of the aforesaid Sum of one Hundred and sixty Thousand pounds of Tobacco together with the Sheriffs Salary of five per Cent for collecting the same and the Clerk of the said County Court shall forthwith after the said Apportionment and Assessment deliver to the Sheriff of the said County a Certificate thereof under his Hand and the Seal of the said County Court—

Liber R. G.  
1769  
[One Third  
Part of  
160,000 lb.  
Tobacco, to  
be levied on  
the Taxable  
Inhabitants  
of said  
Parish this  
present  
Year,]

And be it also Enacted That the Justices of Calvert County aforesaid for the Time being shall and may at their ensuing November Courts to be held in the Years one Thousand seven Hundred and Seventy and one Thousand seven Hundred and Seventy one Assess on the Taxable Inhabitants of the said Parish the remaining Two Third parts of the aforesaid Sum of One Hundred and sixty Thousand pounds of Tobacco together with the Sheriffs Salary of Five per Cent for collecting the same which said Assessments so as aforesaid to be made shall be collected and Levied by the Sheriff of the County aforesaid in the same manner as public and County Levies are usually Collected and Levied and by him be paid to the Vestrymen and Church Wardens aforesaid for the Time being who are hereby authorized and required to receive and apply the same to the use and Purpose aforesaid

[and the  
Remainder  
in the Years  
1770 & 1771,]

And be it further Enacted by the Authority Advice and Consent aforesaid that the Vestrymen and Church Wardens of the Parish aforesaid are hereby impowered to apply all such Sum or Sums of Money now remaining in their Hands and the Materials of the old Church towards defraying the Expence of building and finishing the new Church—

[The Money  
now in the  
Hands of  
the Vestry-  
men &c. to  
be applied  
towards de-  
fraying the  
Expences.]

By the Lower House of  
Assembly Dec.<sup>r</sup> 19.<sup>th</sup> 1769  
Read & assented to  
Signed by order.  
T. Wright Cl. lo. ho:

On behalf of the Right  
Honourable the Lord Pro-  
prietary of this Province,  
I Will This be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Dec.<sup>r</sup> 19.<sup>th</sup> 1769.  
Read & assented to  
Signed by order  
U Scott Cl. Up: Ho:

Great Seal in  
Wax appendant

No. 22 An Additional Supplementary Act to the Act entitled an Act to prevent the abuses of concealing convicted Felons and other Offenders imported into this Province and for the better Discovery of Them—

Whereas Notwithstanding the Provisions already made convicted Felons are often imported into this Province and pass as persons of Character and many of Them are received as Witnesses to the great [Preamble.]

Liber R. G. Vexation and Prejudice of the Inhabitants of this Province for  
1769 further Remedy whereof—  
p. 43

[Every Master of a Ship, &c. who shall import any Felon into this Province, shall bring a full Transcript of the Record of such Conviction and the Proceedings relating thereto under the Seal of the Court where such Conviction is or shall be had if there is any Seal of such Court and if there is no such Seal then under the Hand and Seal of the Clerk for the Time being of such Court and such Transcript shall Deliver to the Consignee of such Convicted Felon or such other Person or Persons as shall have the Sale of such Convicted Felon.

[And the Person having the sale of such Felon, shall deliver the Transcript to the Clerk of the County wherein the purchaser of such convicted Felon shall be put on shore under the Penalty of Ten pounds Current Money and the Clerks of the County Courts respectively shall at the Expence of the person delivering such Transcript as soon as may be carefully enter the Transcript in a Book to be provided and kept for the purposes and only the purposes of this Act and shall orderly insert the Name of such Convicted Felon and the Page in which his Transcript shall be recorded in an Alphabet towards the End of such Book under the Penalty of Five Pounds Current Money for every omission and a Copy of the Entry of such Transcript under the Seal of the Court to which such Book belongs shall be good Evidence to prove any person therein named as such a convicted Felon—

Provided and declared Nevertheless that no other mode of Evidence which is Legal or now used in this Province shall be hereby excluded—

And Whereas for Want of due care and Attention of Masters convicted Felons who are imported and held as Servants in this Province frequently commit Murders Robberies and other Crimes & Offences—

[Every Inhabitant within this Province, who shall purchase any Felon imported, shall enter into

Be it Therefore Enacted That every Inhabitant within this Province who shall Purchase any Convicted Felon imported after the said first day of October next shall within Twenty days after such Purchase go before some Justice of the Peace of the County where such Purchaser shall reside and shall before such Justice who it is hereby



declared shall take the same enter into recognizance to the Right Honourable the Lord Proprietary for the Time being in the Sum of Twenty Pounds Current Money with Condition thereto that if such Convicted Felon Naming him or her shall keep the Peace and be of good Behaviour towards all his Majesty's Subjects during the Time for which such Convicted Felon was Transported or during the Time he or her shall Continue in this Province then such Recognizance shall be void. Which Recognizance immediately after the Caption thereof shall be delivered to the Person entering into the same who shall within Ten days thereafter deliver the same to the Clerk of the Court of the County in which such Purchaser shall reside under the Penalty of Twenty Pounds Current Money for every Neglect to enter into such Recognizance or deliver the same to the Clerk as aforesaid And such County Clerk to whom such Recognizance shall be Delivered as aforesaid shall as soon thereafter as may be at the charge of the Recognizor enter the said Recognizance in the said Record Book at Large and Alphabet the same under the Penalty of Five pounds Current Money—

Liber R. G.  
1769  
Recogniz-  
ance for his  
or her Be-  
haviour, dur-  
ing the Time  
for which  
such Felon  
was trans-  
ported &c.]  
p. 44

And be it further Enacted That all Penalties inflicted by this Act shall and may be recovered in any County Court in this Province wherein the Offence or Omission shall happen or the Offender shall reside if such Offender be resident within this Province or if such Offender be not resident within this Province then in any County Court where such Offender can be Apprehended by Action of Debt or Bill of Indictment wherein not more then one Impar lance shall be allowed one half whereof to the use of the County where the Purchaser of any such Convicted Felon shall reside or in which any such convicted Felon who shall be discharged shall be put on Shore towards defraying the Charges of such County and the other half to the Informer or him her or them that will Sue or Prosecute to effect for the same and any Court in which such Action shall be brought may in their Direction award good and Sufficient Bail

[Penalties  
inflicted by  
this Act,  
how to be  
recovered  
and applied.]

By the Lower House of  
Assembly Dec.<sup>r</sup> 20<sup>th</sup> 1769.  
Read & Assented to  
Signed by order  
T. Wright Cl. lo: ho:

On Behalf of the Right  
Honourable the Lord Pro-  
prietary of this Province  
I Will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Dec.<sup>r</sup> 20<sup>th</sup> 1769.  
Read & Assented to  
Signed by order.  
U Scott Cl. Up: Ho:

Great Seal in  
Wax Appendant

No. 23 An Act for preventing the Evil occasioned by Continuance of Suits at Law on Suggestion of want of Evidence from beyond the Sea

Whereas in many of the Courts of this Province great Numbers of Suits at Law have been and now are continued Long beyond the Time Limited by Law on Suggestions made by the Parties or their Attornies that a Witness or Testimony material in such Suits is

[Preamble.]

Liber R. G. wanting from beyond the Sea when in Truth no such Evidence has  
1769 been or is wanting to the great Expence and Vexation of the good  
People thereof for Remedy whereof

Be it Enacted by the Right Honourable the Lord Proprietary by  
p. 45 and with the Advice and Consent of his Lordships Governor and  
[Suits commenced in the Provincial or County Courts, not to be continued, on Suggestion, unless by Affidavit to the Satisfaction of the Court.] the same That no Suit at Law hereafter to be commenced in the Provincial or County Courts of this Province shall be continued on Suggestion beyond the Time Limited by Law unless it shall be made appear by Affidavit to the Satisfaction of the Court that a Witness or Testimony material in such Suit is really wanting and that the Party alledging the same to be wanting or his Attorney or Agent hath used his reasonable Endeavours for procuring such Witness or Testimony

This Act to Continue and be in force Three Years and till the  
[Duration.] End of the next Session of Assembly which shall happen thereafter

By the Lower House of  
Assembly Dec.<sup>r</sup> 20.<sup>th</sup> 1769.  
Read and Assented to  
Signed by order.  
T. Wright Cl. lo: ho:

On behalf of the Right  
Honourable the Lord Proprietary of this Province  
I Will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Dec.<sup>r</sup> 20.<sup>th</sup> 1769.  
Read and Assented to  
Signed by order.  
U Scott Cl. Up: Ho:

Great Seal in  
Wax Appendant

I do hereby Certify that Reverdy Ghiselin Clerk of the Provincial Court and Secretarys Office of the Province of Maryland this day personally appeared before me the Subscriber one of the Right Honourable the Lord Proprietary of the Province of Maryland his Counsel of State and made Oath on the Holy Evangels of Almighty God that he carefully examined all the Laws contained in this Book from folio one to folio Forty five with the Original Acts that passed the Great Seal—

Sworn to this Seventeenth Day of March 1770 before

J. Ridout

The Seal of the Provincial Court is hereto Affixed on  
Behalf of Daniel Dulany Esquire Secretary of Maryland by

SEAL

R Ghiselin Clk PC. & Sec Off.

PROCEEDINGS AND ACTS  
OF THE  
GENERAL ASSEMBLY OF MARYLAND

*At a Session Held at Annapolis, September 25–November 2, 1770.  
Being the Third Session of the Assembly Elected in  
November–December, 1767*

FREDERICK CALVERT, LORD BALTIMORE  
*Lord Proprietary.*

ROBERT EDEN  
*Governor.*





# PROCEEDINGS

## OF THE

### UPPER HOUSE OF ASSEMBLY

At a Session of Assembly, begun and held at the City of Annapolis, on Tuesday the 25.<sup>th</sup> day of September, in the Twentieth Year of His Lordships Dominion Anno Domini 1770.

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Were Present

	His Excellency Robert Eden Esq. <sup>r</sup> Governor		
The Honble	{	Benedict Calvert Esq. <sup>r</sup>	John Beale Bordley Esq. <sup>r</sup>
		Daniel Dulany Esq. <sup>r</sup>	George Steuart Esq. <sup>r</sup>
		John Ridout Esq. <sup>r</sup>	William Fitzhugh Esq. <sup>r</sup>
		Walter Dulany Esq. <sup>r</sup>	William Hayward Esq. <sup>r</sup>

Mess.<sup>rs</sup> Ringgold and Paca, from the Lower House, acquaint his Excellency that there are a sufficient number of Members met, to make a House, and wait His Excellencys Commands.

Benedict Calvert and Daniel Dulany Esq.<sup>rs</sup> are sent to acquaint the Members of the Lower House, that his Excellency requires their Attendance in the Upper House immediately.

The Members of the Lower House attend, and his Excellency desires them to return [to] their House and make Choice of a Speaker.

Mess.<sup>rs</sup> Hall and Johnson, from the Lower House, acquaint his Excellency that their House hath made Choice of a Speaker.

John Ridout and John Beale Bordley Esq.<sup>rs</sup> are sent to acquaint the Members of the Lower House, that his Excellency requires their Attendance to present their Speaker—

The Lower House attend and present Edward Tilghman Esq.<sup>r</sup> as their Speaker, with which Choice his Excellency declares himself well pleased and makes the following Speech Viz.<sup>t</sup>

Gentlemen of the Upper and Lower Houses of Assembly—

Having regard to the temperate Season of the Year, the stated Terms of the Courts of Justice, and to the Convenience of your private, Affairs, I have called you together at this Time, which on those Considerations will, I hope, prove agreeable to you.

Gentlemen of the Lower House.

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Some Papers concerning Indian Affairs I shall order to be laid before you, Considering the peculiar Circumstances of this Country, the Incertainty with Respect to the part the other Colonies might be

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induced to take in this Business, and the manner in which it was communicated to me, it did not Strike me as an Object of so great Importance as to require a particular Meeting of the General Assembly at a very Inconvenient Season, and therefore I reserved it for your Deliberation at this Time, to which I now recommend it, and that you will make such Provisions on the Subject as you may deem to be expedient, this Business remaining yet unsettled, Commissioners from one Neighbouring Province only having attended, at the place and time appointed.

I have the Honour of a Letter from his Excellency Lord Botetourt Governor of Virginia, written at the request of the House of Burgesses of that Dominion, which I shall also order to be laid before you—His Lordships earnest Solicitude, and my Persuasion of the Propriety and Utility of the Measure, call upon me to recommend to you in the Strongest Manner to join the Colony of Virginia in erecting & supporting a Light House on Cape Henry—

Permit me to desire also your Peculiar Attention to the State of our Criminal Law; what Defects you shall discover therein it is in your power to remedy; I have already experienced the Want of Precission on this Head to be Productive of very great Inconvenience. Gentlemen of both Houses

Be assured that the Sanction of my Authority shall be given with the utmost Alacrity and Satisfaction to all such Regulations as your Experience has found to be most conducive to the Prosperity of the Province and your Prudence and Regard for the Public Good shall adopt and propose.

Ordered that Daniel Dulany, John Ridout and John Beale Bordley Esq.<sup>rs</sup> be a Committee to prepare an Address in Answer to his Excellencys Speech—

Mess.<sup>rs</sup> Ward and Ware attend with M.<sup>r</sup> Robert Hendley Courts, a Member Elected for Charles County, M.<sup>r</sup> Joseph Gilpin for Cecil County, and Mess.<sup>rs</sup> John Matthews John Paca and Aquila Hall for Baltimore County, to see them Qualified, who take the Oaths to the Government, appointed to be taken by Act of Assembly, repeat and Subscribe the Oath of Abjuration and Test, and then withdraw.

Mess.<sup>rs</sup> Wright and Griffith, from the Lower House, acquaint his Excellency that their House hath made Choice of M.<sup>r</sup> John Duckett for their Clerk, and hope for his Excellencys Approbation; to whom  
p. 446 his Excellency is pleased to declare that he approves their Choice

Mess.<sup>rs</sup> Worthington and Luckett attend with M.<sup>r</sup> John Duckett to See him Qualified as Clerk to the Lower House of Assembly, who takes the several Oaths to the Government, appointed to be taken by Act of Assembly, repeats and Subscribes the Oath of Abjuration and Test and also takes the usual Oath of Office, and then withdraws—

Adjourned until To Morrow Morning 10 of the Clock,

Wednesday Morning 26.<sup>th</sup> September 1770.

The House met again according to Adjournment.

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Present as yesterday and Richard Lee Esq.<sup>r</sup>

Mess.<sup>rs</sup> Grahame and Worthington from the Lower House bring up the following Message—

By the Lower House of Assembly 26.<sup>th</sup> Sept.<sup>r</sup> 1770—

May it please your Honours,

This House hath appointed Mess.<sup>rs</sup> Ringgold, Grahame, Worthington, Eden, Steele, Contee and Parran to join one or more of the Members of your House, as a Committee to inspect the Office and Proceedings of the Commissioners for Emitting Bills of Credit.

Signed *ᵕ* Order—John Duckett Cl. Lo. Ho.

Mess.<sup>rs</sup> Mackall and Hopper from the Lower House bring up the following Message.

By the Lower House of Assembly 26.<sup>th</sup> Sept.<sup>r</sup> 1770.

May it please your Honours,

This House hath appointed, from Eight of the Clock in the Morning 'till One in the Afternoon, for itts Sitting every day during this Session for the Dispatch of the Public Business.

Signed *ᵕ* Order—Jn.<sup>o</sup> Duckett Cl. Lo. Ho.

The following Message is Sent to the Lower House By Benedict Calvert Esq.<sup>r</sup>

By the Upper House of Assembly 26.<sup>th</sup> Sept.<sup>r</sup> 1770.

Gentlemen,

This House hath appointed Benedict Calvert and Walter Dulany Esq.<sup>rs</sup> to join the Members of your House, named by you, for the purposes in your Message of this Morning by Mess.<sup>rs</sup> Grahame and Worthington.

Signed *ᵕ* Order. U Scott Cl. Up. Ho.

On Application, Summonses were Ordered and Issued for Henry Cassan, Giles Hicks, Richard Mason Thomas Ringgold, The Reverend Hugh Neile William Hindman, Jeremiah Garland, James Butler Doctor John Smith, Peter Maxwell John Kent, John Ireland, Solomon Holton, Gideon Emory, Vincent Benton and John Tillotson, Personally to appear before this House on Monday the Eighth day of October next, to Testify the Truth of their Knowledge of sundry Facts set forth in a Petition, (now depending before this House) against the removal of Queen Anns County Court House. p. 447

The Committee appointed to prepare an Address in Answer to his Excellencys Speech bring in the following.

To His Excellency Robert Eden Esquire, Lieutenant General and Chief Governor in and over the Province of Maryland.

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The Humble Address of the Upper House of Assembly  
May it please your Excellency—

We his Majestys most dutiful and loyal Subjects the Upper House of Assembly return your Excellency Thanks, for your Speech at the Opening of this Session—

It was very Obliging in your Excellency to be influenced by such Considerations to meet the General Assembly at this Season, when it is most convenient and agreeable to us to attend the Public Business; and your Assurance that the Sanction of your Authority shall, with the utmost Alacrity and Satisfaction, be given to all such Regulations as may be thought most conducive to the Prosperity of this Province, demands our grateful Acknowledgments.

Permit us, Sir, to assure You, that we shall, on our part give due Attention to all matters that may come before Us, and contribute every thing in our power to bring the Business of this Session to a happy Conclusion.

Which was Read, approved of, and ordered to be Engrossed.

The Engrossed Address being prepared was Read and Assented to, and Signed by Order of the House by the Honourable Charles Hammond Esq.<sup>r</sup>

Ordered that Col.<sup>o</sup> Fitzhugh do wait on his Excellency, and acquaint him that this House hath prepared an Address to be presented to him, and desires to know when and where he will be pleased to receive it—Col.<sup>o</sup> Fitzhugh returns and acquaints this House, that his Excellency was pleased to signify he would receive the Address immediately, in the Conference Chamber.

Ordered that Benedict Calvert Esq.<sup>r</sup> attended by the whole House do present the Address.

p. 448 Read and referred to the Consideration of the Lower House of Assembly the Petition of Abraham Barnes—so Endorsed and Sent by William Fitzhugh Esq.<sup>r</sup>

Adjourned until to Morrow Morning 10 of the Clock.

Sept. 27

Thursday Morning 27.<sup>th</sup> Sept.<sup>r</sup> 1770.

The House met again according to Adjournment.

Present as Yesterday.

Adjourned until to Morrow Morning 10 of the Clock.

Sept. 28

Friday Morning 28.<sup>th</sup> Sept.<sup>r</sup> 1770.

The House met again according to Adjournment.

Present as Yesterday.

Mess.<sup>rs</sup> Grahame and Steele, from the Lower House, bring up A Bill entitled “An Act continuing an Act entitled an Act for Amend-



ing the Staple of Tobacco, for preventing Frauds in his Majestys Customs, and for the Limitation of Officers Fees and the Supplementary Act thereto."

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Read the first and Second time by an Especial Order and will Pass—which was Read the first and Second time by an Especial Order in this House, and will pass, so Endorsed and Sent by John Ridout Esq.<sup>r</sup>

His Excellency was pleased to communicate to this House the following Message in Answer to the Address—

Gentlemen of the Upper House of Assembly

Your Approbation of the Considerations which influenced my Conduct in Meeting the General Assembly at this Season give me the greatest Satisfaction, nor do I the least doubt your giving the Utmost Attention to the Business of the Session, or your Inclination to bring the same to an happy Conclusion—

Rob.<sup>t</sup> Eden

28.<sup>th</sup> Sept.<sup>r</sup> 1770.

Adjourned until to Morrow Morning 10 of the Clock.

Saturday Morning 29.<sup>th</sup> September 1770.

Sept. 29

The House met again according to Adjournment.

Present as Yesterday—

Mess.<sup>rs</sup> Wright and [Gilpin] bring up an Engrossed Bill entitled "An Act continuing an Act entitled an Act for Amending the Staple of Tobacco for preventing Frauds in his Majestys Customs, and for the Limitation of Officers Fees and the Supplementary Act thereto." Read and Assented to by the Lower House of Assembly which was Read and Assented to by this House, and Ordered to be so Subscribed, the Paper Bill so Endorsed, was Sent by George Steuart Esq.<sup>r</sup>

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John Beale Bordley and William Fitzhugh Esq.<sup>rs</sup> are sent to acquaint the Lower House, that his Excellency requires their Attendance in the Upper House immediately, to see the Bill passed this Session receive the Assent.

The Lower House attend, and by their Speaker present to his Excellency the following Bill—

A Bill entitled "An Act continuing an Act entitled an Act for amending the Staple of Tobacco, for preventing Frauds in his Majestys Customs, and for the Limitation of Officers Fees, and the Supplementary Act thereto."

Which his Excellency passed into a Law in the usual Manner, by Sealing it with the Right honourable the Lord Proprietary his Great Seal at Arms, and Subscribing it, On behalf of the Right honourable the Lord Proprietary of this Province, I Will this be a Law,

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Sept. 29      Read and referred to the Consideration of the Lower House of  
Assembly the Petition of Lawrence Wilson of Frederick County—  
Sent by John B Bordley Esq.<sup>r</sup>

Read and referred to the Consideration of the Lower House of  
Assembly, the Petition of John Heard of Saint Marys County—  
Sent by W.<sup>m</sup> Fitzhugh Esq.<sup>r</sup>

Adjourned until Monday Morning 10 of the Clock.

Oct. 1                      Monday Morning 1:<sup>st</sup> October 1770.

The House met again according to Adjournment

Present

The Honble	{ Charles Hammond Esq. <sup>r</sup>	Walter Dulany Esq. <sup>r</sup>
	{ Richard Lee Esq. <sup>r</sup>	John B Bordley Esq. <sup>r</sup>
	{ Benedict Calvert Esq. <sup>r</sup>	George Steuart Esq. <sup>r</sup>
	{ Daniel Dulany Esq. <sup>r</sup>	William Fitzhugh Esq. <sup>r</sup>
	{ John Ridout Esq. <sup>r</sup>	

Read, and referred to the Consideration of the Lower House of  
Assembly, the Petition of the Rector Vestrymen and sundry In-  
habitants of Chester Parish in Kent County—The Petition of  
Thomas Lambden, and also the Petition of the Rector Vestrymen  
and sundry Inhabitants of Somerset Parish, in Somerset County,  
which were severally Endorsed, and sent to the Lower House by  
Daniel Dulany Esquire.

p. 450      Adjourned until to Morrow Morning 10 of the Clock.

Oct. 2                      Tuesday Morning 2:<sup>d</sup> October 1770.

The House met again according to Adjournment.

Present as Yesterday except Col.<sup>o</sup> Hammond.

Mess.<sup>rs</sup> Paca and Matthews attend with M.<sup>r</sup> Thomas Cockey Deye,  
a Member Elected for Baltimore County to, see him Qualified, who  
takes the several Oaths to the Government appointed to be taken by  
Act of Assembly, repeats and Subscribes the Oath of Abjuration,  
and then withdraws—

Adjourned until to Morrow Morning 10 of the Clock.

Oct. 3                      Wednesday Morning 3:<sup>d</sup> October 1770.

The House met again according to Adjournment.

Present as yesterday—

Adjourned until to Morrow Morning 10 of the Clock.

Thursday Morning 4.<sup>th</sup> October 1770.

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Liber No. 36  
Oct. 4

The House met again according to Adjournment.

Present as Yesterday except Col.<sup>o</sup> Fitzhugh.

Adjourned until to Morrow Morning 10 of the Clock.

Friday Morning 5.<sup>th</sup> October 1770.

Oct. 5

The House met again according to Adjournment.

Present

The Honble	{	Charles Hammond Esq. <sup>r</sup>	John Ridout Esq. <sup>r</sup>
		Richard Lee Esq. <sup>r</sup>	Walter Dulany Esq. <sup>r</sup>
		Benedict Calvert Esq. <sup>r</sup>	George Steuart Esq. <sup>r</sup>
		Daniel Dulany Esq. <sup>r</sup>	

Adjourned until to Morrow Morning 10 of the Clock

Saturday Morning 6.<sup>th</sup> October 1770.

Oct. 6

The House met again according to Adjournment.

Present

The Honble Richard Lee Benedict Calvert Daniel Dulany, John Ridout Walter Dulany George Steuart and William Hayward Esquires.

Mess.<sup>rs</sup> Hall and Tilghman from the Lower House bring up the following Message.

By the Lower House of Assembly 6.<sup>th</sup> October 1770. p. 451

May it please your Honours—

It was intimated to us at the last Session, that a Petition or Remonstrance was then preferred to your Honours, by some of the Principal Inhabitants in and about Baltimore Town, expressed in Terms highly reflecting upon the Proceedings of this House in passing a Bill entitled, “An Act for appointing Places for holding the next Election of Delegates for Baltimore County.”

This matter did not pass unnoticed, but the Severe Season of the Year obliged us to Postpone every thing not absolutely necessary to be done, and therefore it was referred to this Session; And we now desire your Honours will be pleased to order to be laid before us the said Petition or Remonstrance, that we may proceed to take such Measures as we may judge necessary for the support of the Rights and Privileges of this House.

Signed by Order Jn.<sup>o</sup> Duckett Cl. Lo. Ho.

U. H. J. Read and referred to the Consideration of the Lower House of  
 Liber No. 36 Assembly the Petition of Bartholomew Pomeroy—So Endorsed and  
 Oct. 6 Sent by John Ridout Esq.<sup>r</sup>

The following Message is Sent to the Lower House by William Hayward Esq.<sup>r</sup>

By the Upper House of Assembly 6<sup>th</sup> of October 1770.  
 Gentlemen

On the Receipt of your Message of this Day we returned to our Journals and find therein the following Entries.

“Tuesday Morning 5<sup>th</sup> December 1769, Read a Petition of sundry Inhabitants of Baltimore County praying that this House will not pass a Bill, now laying before them entitled, An Act for Appointing Places for holding the next Election of Delegates for Baltimore County, Resolved that this House will proceed to take into Consideration the Merits of the said Petition on a second Reading of the Bill on Friday the 8<sup>th</sup> Instant. Ordered that the Clerk of this House give the parties concerned Notice thereof, that they may attend by Council if they desired it.”

“Friday 8<sup>th</sup> December 1769, Read, agreeable to the Order of the Day, the Petition of sundry Inhabitants of Baltimore County against the Passage of a Bill laying before this House, intituled An Act for appointing places for holding the next Election of Delegates for Baltimore County, and, on hearing the Allegations of the Counsel for and against the Petition, it is ordered that the same be Rejected.”

The Petition above mentioned has not been transcribed at large  
 p. 452 into our Journals or Proceedings, and the Original, on its being Rejected, was withdrawn by the parties on their Application, according to the usage of this House—

Signed by Order U Scott Cl. Up. Ho.

Adjourned until to Morrow Morning 10 of the Clock.

Oct. 8 Monday Morning 8<sup>th</sup> October 1770.

The House met again according to Adjournment.

Present

The Honble {	Charles Hammond Esq. <sup>r</sup>	John Ridout Esq. <sup>r</sup>
	Richard Lee Esq. <sup>r</sup>	Walter Dulany Esq. <sup>r</sup>
	Benedict Calvert Esq. <sup>r</sup>	George Steuart Esq. <sup>r</sup>
	Daniel Dulany Esq. <sup>r</sup>	William Hayward Esq. <sup>r</sup>

This House, agreeable to an Order of the 7<sup>th</sup> of December 1769, at the last Session, resumed the Consideration of two Petitions of sundry Inhabitants of Queen Anns County, the one praying a Re-



removal of the Court House in said County, the other against a Removal, and it appearing that the Petitioners for the Removal were not ready to support the Facts contained in their Petition, a further time is allowed them, and the further Consideration of this Matter is Postponed until Thursday the 25.<sup>th</sup> of this Instant.

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Oct. 8

Adjourned until to Morrow Morning 10 of the Clock.

Tuesday Morning 9.<sup>th</sup> of October 1770.

Oct. 9

The House met again according to Adjournment.

Present as Yesterday.

Read, and referred to the Consideration of the Lower House of Assembly, the Petition of sundry Inhabitants of Baltimore County, The Petition of sundry Inhabitants of Stepney Parish, in Somerset and Worcester Counties, and also the Petition of Doctor Thomas Hamilton—These Petitions were severally Endorsed, and Sent to the Lower House by George Steuart Esq.<sup>r</sup>

Resolved that this House will take into Consideration the Petition of Arthur Holt, referred from last Session of Assembly, on Tuesday the 22.<sup>d</sup> of this Instant, and ordered that the Petitioner give timely Notice thereof to the present possessor of the Lands in Question—

Resolved that this House will take into Consideration the Petition of Edward Tilghman Esq.<sup>r</sup> and others, referred from last Session of Assembly on Saturday the 27.<sup>th</sup> of this Instant

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Adjourned until to Morrow Morning 10 of the Clock.

Wednesday Morning 10.<sup>th</sup> of October 1770.

Oct. 10

The House met again according to Adjournment.

Present as yesterday except Col.<sup>o</sup> Hammond.

Read, and referred to the Consideration of the Lower House of Assembly, The Petition of sundry Inhabitants of Baltimore County, The Petition of the Inspectors of Rock Creek Warehouse in Frederick County, The Petition of Thomas Harrison of Baltimore Town, and the Petition of sundry Inhabitants of Frederick County, These Petitions were severally Endorsed, and sent to the Lower House by William Hayward Esquire.

Read the Petition of James Guffey James Henderson William Potters Thomas Treadway Levi Pottle, Francis Casey, Joshua Allender Basil Francis and William Walsh Languishing Prisoners in Baltimore County Goal, the Petitions of Philip Tanner, William Cargill, James White, John Chamberlaine, James Kennedy, Abraham Weagly, Frederick Deplanto, Henry Sickles Valentine Shreiner Frederick Beckerer and John Balser Languishing prisoners in Fred-

U. H. J. erick County Goal, the Petition of Justice Hoshell a Languishing  
 Liber No. 36 prisoner in Ann Arundel County Goal, the Petitions of Thomas  
 Oct. 10 Cooke, jun.<sup>r</sup>, Elias Smith John Driskell, Luke Mattingly, Barbara  
 Richardson Jeremiah Kennelly William Corquain Henry Carey  
 William Mitchell and Zachariah Bond Languishing Prisoners in  
 Saint Marys County Goal, The Petitions of William Green Allen  
 Davis John Mankin and Peter Rigg Languishing prisoners in Charles  
 County Goal, the Petition of Robert Spickemall a Languishing Pris-  
 oner in Calvert County Goal, the Petition of Fenton Catlin, John  
 Gornwell, Mark Hilchinson Jesse Anderson James Morns George  
 Benson Thomas Jones Edward Pettit and Thomas Wingate Lan-  
 guishing Prisoners in Worcester County Goal, The Petitions of  
 James Butler Isaac Parsons and John Benney Languishing Prisoners  
 in Kent County Goal, the Petition of John<sup>n</sup> Harrison a Languishing  
 Prisoner in Dorchester County Goal, the Petitions of James White,  
 Henry Thompson, Aaron Yoe, Charles Clymer, Peter Green, Wil-  
 liam Sylvester, and Matthew Errickson Languishing Prisoners in  
 p. 454 Queen Anns County Goal, which said Petitions are referred to the  
 Consideration of the Lower House of Assembly, and Sent by Walter  
 Dulany Esq.<sup>r</sup>

Read, and referred to the Consideration of the Lower House of  
 Assembly, the Petition of James Hutchings of Queen Anns County,  
 so Endorsed and Sent by Walter Dulany Esquire

Read, and referred to the Consideration of the Lower House of  
 Assembly the Petition of the Rector Vestrymen and Church Wardens  
 of Saint Pauls Parish in Talbot and Queen Anns Counties, so En-  
 dorsed, and Sent by Benedict Calvert Esq.<sup>r</sup>

Adjourned until to Morrow Morning 10 of the Clock.

Oct. 11 Thursday Morning 11.<sup>th</sup> of October 1770.

The House met again according to Adjournment.

Present as Yesterday.

Read, and referred to the Consideration of the Lower House of  
 Assembly, the Petition of sundry Inhabitants of Dorchester Parish  
 in Dorchester County, and the Petition of sundry Inhabitants of  
 Saint Johns Parish in Baltimore County, These Petitions were  
 severally Endorsed and Sent by [John Ridout].

Adjourned until to Morrow Morning 10 of the Clock.

Oct. 12 Friday Morning 12.<sup>th</sup> of October 1770.

The House met again according to Adjournment.

Present as Yesterday except William Hayward Esq.<sup>r</sup>

Adjourned until to Morrow Morning 10 of the Clock.

Saturday Morning 13:<sup>th</sup> of October 1770.

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Liber No. 36  
Oct. 13

The House met again according to Adjournment.

Present as Yesterday except Daniel Dulany Esq.<sup>r</sup>

Mess:<sup>rs</sup> Key and Harrison bring up a Bill entituled, "an Act directing the Sale of the Lands of Richard Heard late of Saint Marys County deceased for the Payment of the Debts of the said Richard Heard"—Read the first and Second time in the Lower House and will pass, which was Read the first time in this House and ordered to lie on the Table—

Mess.<sup>rs</sup> Goldsborough and Gilpin from the Lower House bring up the Journal of Accounts Read and Assented to.

Mess:<sup>rs</sup> Chase and Thomas bring up a Bill entituled "An Act for abolishing June County Courts and for other purposes therein mentioned"—Read the first and Second time in the Lower House and will pass. p. 455

Mess:<sup>rs</sup> Gale and Selby bring up a Bill entituled "An Act to enable the Justices of Somerset County to levy on the Taxable Inhabitants of Somerset Parish, in Somerset County, a Quantity of Tobacco for the purposes therein mentioned"—Read the first and Second time in the Lower House and will pass—These two Bills were Read the first time in this House and ordered to lie on the Table—

Adjourned until Monday Morning 10 of the Clock.

Monday Morning 15:<sup>th</sup> of October 1770.

Oct. 15

The House met again according to Adjournment.

Present

The Honourable	{	Charles Hammond Esq. <sup>r</sup>	John Beale Bordley Esq. <sup>r</sup>
		Richard Lee Esq. <sup>r</sup>	George Steuart Esq. <sup>r</sup>
		Benedict Calvert Esq. <sup>r</sup>	William Fitzhugh Esq. <sup>r</sup>
		John Ridout Esq. <sup>r</sup>	William Hayward Esq. <sup>r</sup>
		Walter Dulany Esq. <sup>r</sup>	

Read and Rejected the Petition of sundry Inhabitants of Prince Georges County. Read the Second time in this House and will pass the two following Bills

A Bill intituled "An Act directing the Sale of the Lands of Richard Heard late of Saint Marys County deceased, for the payment of the Debts of the said Richard Heard."

A Bill intituled, "An Act to enable the Justices of Somerset County to levy on the Taxable Inhabitants of Somerset Parish in the said County a Quantity of Tobacco for the Purposes therein

U. H. J. mentioned" These two Bills were severally Endorsed, and Sent to  
 Liber No. 36 the Lower House of Assembly by John Beale Bordley Esquire.  
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Read the Second time in this House the Bill entituled "An Act  
 for abolishing June County Courts, and for other purposes therein  
 mentioned." and will pass with the following Amendment—After  
 the Word "*Notwithstanding*" in the 7.<sup>th</sup> line of the last Page add the  
 p. 456 following Clause—"This Act to continue and be in force for and  
 during the Term of three Years and to the end of the next Session of  
 Assembly that shall happen after the said three Years," So Endorsed  
 and Sent to the Lower House by John B. Bordley Esq.:"

Mess.<sup>rs</sup> Matthews and J Paca bring up a Bill entituled "An Act to  
 give Thomas Harrison a further time to effect the Removal of a  
 Nuisance in Baltimore Town, in Baltimore County"—Read the first  
 and second time in the Lower House and will pass—which was  
 Read the first and second time by an especial Order in this House  
 and will pass—So Endorsed, and Sent by John B Bordley Esquire

On Application, Summons's issued for Thomas Aires Abraham  
 Aires and Abraham Cartwright, on behalf of Arthur Holt.

On Application Summons's issued for Gideon Emory, James But-  
 ler Jeremiah Garland, John Kent George Garnett, James Emory,  
 and Thomas Ringgold of Kent Island—

Adjourned until to Morrow Morning 10 of the Clock.

Oct. 16 Tuesday Morning 16:<sup>th</sup> October 1770.

The House met again according to Adjournment.

Present as Yesterday and Daniel Dulany Esq.:"

Adjourned until to Morrow Morning 10 of the Clock.

Oct. 17 Wednesday Morning 17:<sup>th</sup> October 1770:

The House met again according to Adjournment

Present as Yesterday—

Mess.<sup>rs</sup> Paca and Grahame bring up a Bill, entituled, "An Act for  
 the Continuance and Adjournment of the high Court of Appeals,  
 and for the Adjournment of the Provincial Court, and other Pur-  
 poses therein mentioned"—Read the first and Second time, by an  
 Especial Order, in the Lower House and will pass.

Mess.<sup>rs</sup> Ringgold and Steele bring up a Bill, entituled "An Act to  
 invest John Clayton with an exclusive Privilege and Benefit of  
 making and Selling a Machine for the Threshing of Wheat, on a  
 Model by him invented," Read the first and Second time in the  
 Lower House, and will pass—which was Read the first and Second  
 p. 457 time, by an Especial Order in this House and will Pass—



Read the first and Second time, by an Especial Order, in this House the Bill entituled "An Act for the Continuance and Adjournment of the High Court of Appeals, and for the Adjournment of the Provincial Court, and other Purposes therein mentioned"—and will pass with the following Amendments Viz:<sup>t</sup> After the word "*Sitting*" in the second Section add the following words Viz:<sup>t</sup> "*and which cannot otherwise so long Continue.*" and instead of the words "*Twenty fifth day of January*" in the same Section, insert the following words, Viz:<sup>t</sup> "*the third Tuesday in February next*"—These two Bills were severally Endorsed, and Sent to the Lower House by Daniel Dulany Esquire.

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Liber No. 36  
Oct 17

Read, and referred to the Consideration of the Lower House of Assembly, the Petition of sundry Inhabitants of Somerset and Worcester Counties, praying an Union of the Free Schools of the said Counties—The Petition of John Hozel against the Releasment of Zachariah Bond, a Prisoner in Saint Marys County Goal, These two Petitions were severally Endorsed and Sent by Walter Dulany Esq.<sup>r</sup>

Mess.<sup>rs</sup> William Paca and fourteen more bring up a Bill entituled, An Act for amending the Staple of Tobacco for Preventing Frauds in his Majestys Customs, and for the Regulation of Officers Fees—Read the first and second time in the Lower House and will Pass—which was Read the first time in this House, and ordered to lie on the Table.

Adjourned until to Morrow Morning 10 of the Clock.

Thursday Morning 18.<sup>th</sup> October 1770.

Oct. 18

The House met again according to Adjournment.

Present as Yesterday—

Mess.<sup>rs</sup> Gale and Tilghman bring up a Bill, entituled, "An Act for the Tryal of all matters of Fact in the several Counties where they have arisen, or shall arise," Read the first and Second time in the Lower House and will pass which was Read the first time in this House and ordered to lie on the Table.

Mess.<sup>rs</sup> Ringgold and Dickinson bring up the five following Engrossed Bills, Read and Assented to by the Lower House of Assembly—

p. 458

A Bill entituled An Act directing the Sale of the Lands of Richard Heard late of Saint Marys County deceased, for the payment of the Debts of the said Richard Heard—

A Bill, entituled An Act to enable the Justices of Somerset County, to levy on the Taxable Inhabitants of Somerset Parish, in said County, a Quantity of Tobacco for the Purposes therein mentioned.

U. H. J.     A Bill entituled An Act for abolishing June County Courts and  
Liber No. 36     for other Purposes therein mentioned—  
Oct. 18

A Bill entituled An Act for the Adjournment and Continuance of the high Court of Appeals, and for the Adjournment of the Provincial Court, and other Purposes therein mentioned—

A Bill entituled An Act to invest John Clayton with an exclusive Privilege and Benefit of making and Selling a Machine for Threshing of Wheat, on a Model by him invented—

These Bills were Read and Assented to, by this House, and ordered to be so Subscribed the Paper Bills, so Endorsed, sent to the Lower House by William Hayward Esq.<sup>r</sup>

Mess.<sup>rs</sup> Tyler and Contee bring up a Bill entituled, An Act to remedy a Defect in the Title of Bartholomew Pomeroy of London Merchant, to a Tract or Parcel of Land called Renchers Adventure, lying in Prince Georges County, Read the first and Second time in the Lower House and will pass.

Mess.<sup>rs</sup> Deye and Matthews bring up an Engrossed Bill, entituled An Act to give Thomas Harrison a further time to effect the Removal of a Nuisance in Baltimore Town, in Baltimore County. Read and Assented to by the Lower House of Assembly, which was Read and Assented to by this House, and ordered to be so Subscribed, the Paper Bill so Endorsed Sent by William Hayward Esquire.

Mess.<sup>rs</sup> Thomas and Key bring up a Bill, entituled An Act to oblige the several County Clerks to have with them on their Office Days the four last Courts Dockets and Papers—Read the first and  
p. 459 Second time in the Lower House and will pass—

Read and referred to the Consideration of the Lower House of Assembly the Petition of Alexander Cumming, So Endorsed and Sent by Walter Dulany Esquire

Read and referred to the Consideration of the Lower House of Assembly, The Petition of Thomas Weems, a Prisoner in Ann Arundel County Goal, The Petitions of Borden Wilcox, and John Hodeburck, Prisoners in Cecil County Goal, The Petitions of William Lock, Moses Barney, Joseph Miller and John Brown Prisoners in Baltimore County Goal, These Petitions were severally Endorsed, and Sent to the Lower House by Walter Dulany Esq.

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Mess.<sup>rs</sup> Wright and Mackall attend with M.<sup>r</sup> William Hopper, a Member Elected for Queen Anns County, to see him Qualified, who takes the several Oaths to the Government, appointed to be taken

by Act of Assembly, repeats and Subscribes the Oath of Abjuration and Test and then withdraws,

U. H. J.  
Liber No. 36  
Oct. 18

John Beale Bordley and George Steuart Esquires are sent to acquaint the Lower House that his Excellency requires their Attendance in the Upper House immediately to See six Bills passed this Session, receive the Assent.

The Lower House attend, and, by their Speaker, present to his Excellency the following Bills.

A Bill entituled An Act directing the Sale of the Lands of Richard Heard late of Saint Marys County deceased, for the Payment of the Debts of the said Richard Heard.

A Bill entituled An Act to enable the Justices of Somerset County, to Levy on the Taxable Inhabitants of Somerset Parish, in the said County, a Quantity of Tobacco for the Purposes therein mentioned.

A Bill entituled An Act for the Adjournment and Continuance of the High Court of Appeals, and for the Adjournment of the Provincial Court, and for other Purposes therein mentioned.

A Bill entituled An Act for Abolishing June County Courts and for other Purposes therein mentioned.

A Bill entituled An Act to invest John Clayton with an exclusive Privilege and Benefit of making and Selling a Machine for Threshing of Wheat, on a Model by him invented. p. 460

A Bill entituled An Act to give Thomas Harrison further time to effect the Removal of a Nuisance in Baltimore Town, in Baltimore County.

All which his Excellency Passed into Laws, in the usual form, by Sealing them with the Right Honourable the Lord Proprietary his Great Seal at Arms, and Subscribing them, "On Behalf of the Right Honourable the Lord Proprietary of this Province I Will this be a Law."

Read the first time in this House and ordered to lie on the Table, the two following Bills.

A Bill entituled An Act to remedy a Defect in the Title of Bartholomew Pomeroy, of London Merchant, to a Tract or Parcel of Land called Renchers Adventure, lying in Prince Georges County.

A Bill entituled An Act to oblige the several County Clerks to have with them on their Office Day the four last Courts Dockets and Papers.

On Application Summonses issued, on Behalf of the Petitioners for the Removal of Queen Anns County Court House, for John Brown, James Bordley, William Emory (Son of William), John Ireland, Edward Clayton, Solomon Holton, Caleb Clemment, John Seney, Turbott Wright, James Emory, & John Loyd,

Adjourned until to Morrow Morning 10 of the Clock

U. H. J.  
Liber No. 36  
Oct. 19

Friday Morning 19:<sup>th</sup> of October 1770.

The House met again according to Adjournment.

Present as yesterday.

Mess.<sup>rs</sup> Wright and Hopper bring up a Bill entituled An Act to impower the Justices of Queen Anns and Talbot Counties to assess on the Taxable Inhabitants of Saint Pauls Parish, in the said Counties, the Sums of Tobacco therein mentioned, for building a Church, and repairing the Chapel in said Parish, Read the first and Second time in the Lower House and will pass.

Mess.<sup>rs</sup> Allen and Selby bring up a Bill, entituled An Act to impower the Justices of Somerset and Worcester Counties, to Levy on the Taxable Inhabitants of Stepney Parish, in said Counties, the  
p. 461 Quantity of eighty Thousand Pounds of Tobacco, for the uses therein mentioned—Read the first and Second time in the Lower House and will pass—

These two Bills Read the first and Second time by an Especial Order in this House and will Pass—so Endorsed and Sent to the Lower House by John Ridout Esquire.

Read the Second time, in this House, and will pass, the two following Bills. A Bill entituled An Act to oblige the several County Clerks to have with them on their Office Days the four last Courts Dockets & Papers:

A Bill entituled An Act to remedy a Defect in the Title of Bartholomew Pomeroy, of London Merchant, to a Tract or Parcel of Land called Renchers Adventure, lying in Prince Georges County. These two Bills were severally Endorsed, and Sent to the Lower House by John Ridout Esquire.

Read and referred to the Consideration of the Lower House of Assembly. the Petition of Isaac Murray, as also the Petition of Nehemiah Tilghman and Solomon Townshend—So Endorsed and Sent by George Steuart Esquire.

Read and rejected the Petition of Ebenezer White.

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Adjourned until to Morrow Morning 10 of the Clock.

Oct. 20

Saturday Morning 20:<sup>th</sup> October 1770.

The House met again according to Adjournment.

Present as Yesterday except Col.<sup>o</sup> Hammond.



Read and referred to the Consideration of the Lower House of Assembly the Petition of Francis Baker, of Talbot County, So Endorsed and Sent by William Hayward Esq.<sup>r</sup>

U. H. J.  
Liber No. 36  
Oct. 20

On Motion made by John Beale Bordley Esq.<sup>r</sup> Leave is given to bring in a Bill, entituled, A Supplementary Act to the Act to prevent disabled and Superanuated Slaves being Set Free, or the Manu-mission of Slaves by any last Will or Testament.

Adjourned until three of the Clock in the Afternoon.

p. 462

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Adjourned until Monday Morning 10 of the Clock.

Monday Morning 22.<sup>d</sup> of October 1770.

Oct. 22

The House met again according to Adjournment.

Present as on Saturday.

Read the second time, in this House, and will not pass, the Bill entituled An Act for amending the Staple of Tobacco, for preventing Frauds in his Majestys Customs, and for the Regulation of Officers Fees. So Endorsed and Sent to the Lower House together with the following Message by William Hayward Esquire.

By the Upper House of Assembly 22.<sup>d</sup> October 1770.

Gentlemen,

We have returned the Bill entituled An Act for Amending the Staple of Tobacco, for preventing Frauds in his Majestys Customs, and for the Regulation of Officers Fees, with a Negative, but should you think Proper to Consent to such Amendments as may agree with the following Propositions our Assent will be given.

Our Propositions are, that the time for the Attendance of the Inspectors, in performing the Services required of them, be the same as provided by the Act entituled "An Act for Amending the Staple of Tobacco, for preventing Frauds in his Majestys Customs and for the Limitation of Officers Fees."

That the Lawful Tender of Tobacco be the same as directed by the said Act without any New Allowance on Payment.

That Judgments on Bonds be entered up as the use or Practice hath been, without any Release being rendered necessary—

That the Receipt directed to be given by Inspectors on the delivery of uninspected Tobacco be returned to the Inspectors, giving such Receipts when the Tobacco shall have been inspected and passed or refused.

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Oct. 22  
p. 463

That Costs be allowed and paid to the party recovering as the said Party shall have paid or shall be liable to pay them

That the Duties and Fees of the Officers and Lawyers and the Dues of the Clergy do stand as they were limited and regulated by the said Act, with this Difference, that all, who shall Chuse to pay for Services immediately on Performance, may be at Liberty to discharge the Fees in Money, after the same rate that Persons who lodged Certificates under the said Act were admitted to discharge them.

That the Farmers and others not making Tobacco, and who shall Lodge Certificates as directed by the said Act, be allowed to Pay off the Fees of the Officers and Lawyers, and the Dues of the Clergy, in the manner by the said Act Provided.

That Persons making Tobacco be admitted to discharge the Fees of Officers and Lawyers and Dues of the Clergy after the rate of Twelve Shillings Lawful Current Money of America, for One hundred Pounds of Tobacco, so that such Payment in Money be made on or before the 10:<sup>th</sup> day of April Yearly

That the Bill being amended according to the above Propositions be Continued for the Term of seven Years.

Signed by Order—U Scott Cl. Up. Ho.

Read and referred to the Consideration of the Lower House of Assembly the Petition of sundry Inhabitants of Queen Ann Parish, in Prince Georges County—So Endorsed and Sent by William Fitzhugh Esq.<sup>r</sup>

This day being appointed for a hearing on the Petition of Arthur Holt of Queen Anns County, James Tilghman Esq.<sup>r</sup> Attorney for the said Arthur Holt Prays that this House will Postpone the same until a further Day, Whereupon it is Resolved that this House will take the said Petition into Consideration on Wednesday the 31:<sup>st</sup> of this Instant.

On Application Ordered that Summonses Issue for Thomas Aires, Abraham Aires, and Abraham Cartwright to Testify on Behalf of the said Arthur Holt, returnable the said 31:<sup>st</sup> Day of this Instant.

Adjourned until to Morrow Morning 10 of the Clock

Oct. 23  
p. 464

Tuesday Morning 23:<sup>d</sup> October 1770.

The House met again according to Adjournment.

Present as yesterday and Col.<sup>o</sup> Hammond.

Mess.<sup>rs</sup> Hopper and Wright bring up the following Engrossed Bills, Read and Assented to by the Lower House of Assembly.

A Bill entituled An Act to impower the Justices of Somerset and Worcester Counties, to Levy on the Taxable Inhabitants of Stepney

Parish, in said Countys, the Quantity of Eighty Thousand Pounds of Tobacco for the uses therein mentioned.

U. H. J.  
Liber No. 36  
Oct. 23

A Bill entituled An Act for impowering the Justices of Queen Anns and Talbot County's, to Assess on the Taxable Inhabitants of Saint Pauls Parish, in the said Counties, the Sums of Tobacco therein mentioned for Building a Church, and repairing a Chapel in the said Parish

A Bill entituled An Act to oblige the several County Clerks to have with them, on their Office Days, the four last Courts Dockets & Papers

A Bill entituled An Act to remedy a Defect in the Title of Bartholomew Pomeroy, of London Merchant, to Tract or Parcel of Land called Renchers Adventure, lying in Prince Georges County

These Bills were Read and Assented to by this House, and ordered to be so Subscribed, the Paper Bills so Endorsed Sent to the Lower House by William Hayward Esquire.

Read the Second time in this House—A Bill entituled An Act for the Tryal of all Matters of Fact in the several Counties where they have arisen, or shall arise, and will not Pass—So Endorsed and Sent by William Fitzhugh Esquire—

Mess.<sup>rs</sup> Allen and Steele bring up the two following Bills Read the first and Second time in the Lower House and will Pass—

A Bill entituled An Act to enable the Justices of Dorchester County Court to Assess and Levy on the Taxable Inhabitants of the said County a Quantity of Tobacco for the Purpose of Building a Court House—

A Bill entituled An Act to Unite the Free Schools of Somerset and Worcester Counties—

These two Bills were Read the first and Second time by an Especial order in this House and will Pass—So Endorsed and Sent by Walter Dulany Esq.<sup>r</sup> p. 465

William Fitzhugh and William Hayward Esquires are Sent to acquaint the Lower House that his Excellency requires their Attendance in the Upper House immediately to See four Bills Passed this Session receive the Assent—

The Lower House attend and by their Speaker present to his Excellency the following Bills

A Bill entituled An Act to impower the Justices of Somerset and Worcester Counties to Levy on the Taxable Inhabitants of Stepney Parish, in said Counties, the Quantity of Eighty Thousand Pounds of Tobacco for the uses therein mentioned.

A Bill entituled An Act for impowering the Justices of Queen Anns and Talbot Counties, to Assess on the Taxable Inhabitants of Saint Pauls Parish, in the said Counties, the Sums of Tobacco

U. H. J. therein mentioned for Building a Church, and repairing a Chapel in  
Liber No. 36 the said Parish—  
Oct. 23

A Bill entituled An Act to oblige the several County Clerks to have with them, on their Office Days, the four last Courts Dockets & Papers,

A Bill entituled An Act to remedy a Defect in the Title of Bartholomew Pomeroy, of London Merchant to a Tract or Parcel of Land called Renchers Adventure lying in Prince Georges County.

All which his Excellency Passed into Laws in the usual form by Sealing them with the Right Honourable the Lord Proprietary his Great Seal at Arms, and Subscribing them, "On behalf of the Right Honourable the Lord Proprietary of this Province," I Will this be a Law.

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Mess.<sup>rs</sup> Matthews and Hall bring up a Bill entituled, An Act to hold the Election of Representatives for Baltimore County at the places therein mentioned—Read the first and Second time in the Lower House and will Pass—which was Read the first and Second time by an Especial Order in this House, and will not Pass—So Endorsed and Sent by Benedict Calvert Esquire.

Read and referred to the Consideration of the Lower House of Assembly the Petition of sundry Inhabitants in Frederick Town, in Frederick County, So Endorsed and Sent by Daniel Dulany Esquire.

Read and referred to the Consideration of the Lower House of Assembly the Petition of Jane Brown—So Endorsed and Sent by William Hayward Esq.<sup>r</sup>

Adjourned until to Morrow Morning 10 of the Clock.

Oct. 24 Wednesday Morning 24:<sup>th</sup> of October 1770.

The House met again according to Adjournment.

Present as Yesterday—

Mess.<sup>rs</sup> Dashiell and Allen bring up the following Engrossed Bill, Read and Assented to by the Lower House of Assembly—A Bill entituled An Act to Unite the Free Schools of Somerset and Worcester Counties. which was Read and Assented to by this House and Ordered to be so Subscribed the Paper Bill so Endorsed Sent to the Lower House by George Steuart Esquire.



Mess.<sup>rs</sup> Johnson and Tilghman bring up a Bill entitled An Act for Issuing Writs of Replevin out of the County Courts of this Province. Read the first and Second time in the Lower House and will pass—which was Read the first time in this House and ordered to lie on the Table.

U. H. J.  
Liber No. 36  
Oct. 24

Mess.<sup>rs</sup> Hopper and Wright, bring up a Bill entitled, An Act to repeal part of an Act to encourage the Destroying of Wolves Crows and Squirrels

Read the first and Second time in the Lower House and will pass—which was Read the first and Second time by an Especial Order in this House, and will Pass—so Endorsed and Sent by Benedict Calvert Esquire—

John Beale Bordley Esq.<sup>r</sup> brings in a Bill entitled, a Supplementary Act to the Act entitled An Act to prevent disabled and superannuated slaves being set Free, or the Manumission of Slaves by any last Will or Testament which was Read the first Time in this House, and ordered to lie on the Table.

Mess.<sup>rs</sup> Ringgold and Buchanan bring up a Bill entitled An Additional Supplementary Act to the Act entitled An Act for erecting a New Parish in Kent County, called Chester Parish, and for Building a Parish Church, and enlarging a Chapel of Ease within the said Parish, Read the first and Second time in the Lower House, and will pass—which was Read the first and Second time, by an Especial Order, in this House and will Pass—So Endorsed and Sent by Benedict Calvert Esquire—

p. 467

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Mess.<sup>rs</sup> Beall and Tyler bring up a Bill entitled, An Act for Building a Parish Church in Queen Ann Parish, in Prince Georges County—Read the first and Second time in the Lower House and will Pass—which was Read the first and Second time by an Especial Order, in this House and will Pass—So Endorsed and Sent by John Ridout Esq.<sup>r</sup>

Adjourned until to Morrow Morning 10 of the Clock.

Thursday Morning 25:<sup>th</sup> of October 1770.

Oct. 25

The House met again according to Adjournment.

Present as Yesterday except Col.<sup>o</sup> Hammond.

Read, and referred to the Consideration of the Lower House of Assembly, the Petition of Daniel Bower against the Release of

U. H. J. Frederick Beckerer, a Prisoner in Baltimore County Goal, so En-  
Liber No. 36 dorsed and Sent by John Beale Bordley Esquire.  
Oct. 25

Mess.<sup>rs</sup> Steele and Buchanan bring up the following Engrossed Bills—Read and Assented to by the Lower House of Assembly.

A Bill entituled An Act to enable the Justices of Dorchester County Court, to Assess and Levy on the Taxable Inhabitants of the said County a Quantity of Tobacco for the Purpose of Building a Court House.

A Bill entituled An Act to Repeal part of an Act to encourage the Destroying of Wolves Crows and Squirrels.

A Bill entituled An Additional Supplementary Act to the Act entituled An Act for Erecting a New Parish in Kent County, called Chester Parish, and for Building a Parish Church, and enlarging a  
p. 468 Chaple of Ease within the said Parish.

These three Bills were Read and Assented to by this House, and ordered to be so Subscribed, the Paper Bills So Endorsed Sent by Daniel Dulany Esq.<sup>r</sup>

Read, agreeable to the Order of the Day the Petitions of sundry Inhabitants of Queen Anns County for and against the Removal of the Court House of said County, and after Examining sundry Evidences the Consideration thereof was Postponed until the Afternoon.

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

The House Proceeded to Examine Evidences, and to hear Council on the Petitions relating to the Removal of Queen Anns County Court House, the further Consideration whereof is Postponed until to Morrow Morning.

Adjourned until to Morrow Morning 10 of the Clock.

Oct. 26 Friday Morning 26:<sup>th</sup> October 1770.

The House met again according to Adjournment.

Present as Yesterday—

Read, and referred to the Consideration of the Lower House of Assembly, the Petition of Samuel Smith, a Prisoner in Ann Arundel County Goal—So Endorsed and Sent by William Hayward Esquire—

Read, and referred to the Consideration of the Lower House

of Assembly, the Petition of Benjamin Terrey, against Jane Browns Petition, So Endorsed and Sent by Benedict Calvert Esq.<sup>r</sup>

U. H. J.  
Liber No. 36  
Oct. 26

This House having again resumed the Consideration of the Petition of sundry Inhabitants of Queen Anns County, praying a Removal of the Court House in said County, and heard Council in Support thereof, did Unanimously Reject the same.

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Adjourned until to Morrow Morning 10 of the Clock.

p. 469

Saturday Morning 27.<sup>th</sup> October 1770.

Oct. 27

The House met again according to Adjournment.

Present as Yesterday.

Read, agreeable to the Order of the Day, the Petition of Edward Tilghman and others, and, after hearing the Evidence of Col.<sup>o</sup> William Hopper, and M.<sup>r</sup> Thomas Wright in Support of the said Petition, the Consideration thereof is Postponed until Tuesday the 30.<sup>th</sup> day of this Instant.

Read, and referred to the Consideration of the Lower House of Assembly, the Petition of James Gill, a Prisoner in Prince Georges County Goal, So Endorsed and Sent by [J. Beale Bordley].

Mess.<sup>rs</sup> Allen and Dashiel attend with M.<sup>r</sup> William Adams a Member Elected for Somerset County, to see him Qualified, who takes the several Oaths to the Government, appointed to be taken by Act of Assembly, repeats and Subscribes the Oath of Abjuration and Test, and then withdraws.

Mess.<sup>rs</sup> Hall and Paca bring up the two following Bills Read the first and Second time in the Lower House and will pass.

A Bill entituled An Act to divide Saint Georges Parish in Baltimore County.

A Bill entituled Act to divide Saint Johns Parish in Baltimore County.

Adjourned until to Morrow Morning 10 of the Clock.

Monday Morning 29.<sup>th</sup> October 1770.

Oct. 29

The House met again according to Adjournment.

U. H. J.  
Liber No. 36  
Oct. 29

Present

The Hon <sup>ble</sup>	{	Richard Lee Esq. <sup>r</sup>	Walter Dulany Esq. <sup>r</sup>
		Benedict Calvert Esq. <sup>r</sup>	John Beale Bordley Esq. <sup>r</sup>
		Daniel Dulany Esq. <sup>r</sup>	George Steuart Esq. <sup>r</sup>
		John Ridout Esq. <sup>r</sup>	William Fitzhugh Esq. <sup>r</sup>

Mess.<sup>rs</sup> Bordley and Buchanan bring up a Bill, entituled, An Act to invest Isaac Perkins with an exclusive Privilege and Benefit of making and Selling a Machine for Threshing of Wheat, on a Model by him invented.

p. 470 Mess.<sup>rs</sup> Thomas and Smallwood bring up a Bill entituled An Act to impose a further Duty on Negroes imported into this Province, and for the better Support of County Schools—

Mess.<sup>rs</sup> Eden and Thomas bring up a Bill entituled, An Act to remedy a Defect in the Acknowledgment of a Conveyance from Josiah Connant to William Thornton.

Mess.<sup>rs</sup> John Hall and seven other Lawyers bring up a Bill entituled An Act to Ease the Inhabitants of this Province in the Payment of Attorneys Fees—

These four Bills were Read the first and Second time in the Lower House and will Pass

Mess.<sup>rs</sup> Contee and Beall bring up an Engrossed Bill entituled An Act for the Building a Parish Church in Queen Anns Parish, in Prince Georges County—Read and Assented to by the Lower House of Assembly, which was Read and Assented to by this House, and ordered to be so Subscribed, the Paper Bill so Endorsed Sent by William Fitzhugh Esq.<sup>r</sup>

Read the Second time in this House, a Bill entituled A Supplementary Act to the Act entituled An Act to prevent disabled and Superanuated Slaves being set free, or the Manumission of Slaves, by any last Will or Testament and will pass—so Endorsed and Sent by John Beale Bordley Esq.<sup>r</sup>

Read the first and Second time, by an especial Order in this House, and will pass the three following Bills—

A Bill entituled An Act to invest Isaac Perkins with an exclusive Privilege and Benefit of making and selling a Machine for Threshing of Wheat, on a Model by him invented.

A Bill entituled An Act to remedy a Defect in the Acknowledgment of a Conveyance from Josiah Connant to William Thornton.

A Bill entituled An Act to divide Saint Johns Parish in Baltimore County.

These Bills were severally Endorsed and sent to the Lower House by [William Fitzhugh].



Read the first time in this House and ordered to lie on the Table the three following Bills.

U. H. J.  
Liber No. 36  
Oct. 29

A Bill entituled An Act to impose a further Duty on Negroes imported into this Province, and for the better Support of County Schools—

A Bill entituled An Act to divide Saint Georges Parish in Baltimore County. p. 471

A Bill entituled An Act to Ease the Inhabitants of this Province in the Payment of Attornies Fees.

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Adjourned until to Morrow Morning 10 of the Clock.

Tuesday Morning 30:<sup>th</sup> October 1770.

Oct. 30

The House met again according to Adjournment.

Present as Yesterday—

Benedict Calvert Esq.<sup>r</sup> brings in the following Report, from the Committee appointed to inspect the Office and Proceedings of the Commissioners for Emitting Bills of Credit Established by Act of Assembly.

Maryland ss:<sup>t</sup>

At a Committee of both Houses of Assembly, appointed to inspect the Office and Proceedings of the Commissioners for Emitting Bills of Credit, Established by Act of Assembly.

Were Present

The Honble { Benedict Calvert Esq.<sup>r</sup> and  
Walter Dulany Esq.<sup>r</sup> } of the Upper House

M. <sup>r</sup> Brice T B Worthington	} Of the Lower House	{ M. <sup>r</sup> Henry Steele M. <sup>r</sup> Thomas Contee and M. <sup>r</sup> Young Parran
M. <sup>r</sup> Thomas Ringgold		
M. <sup>r</sup> Charles Grahame		
M. <sup>r</sup> John Eden		

Who make Choice of and appoint the Honourable Benedict Calvert Esquire Chairman, and James Brooks their Clerk, and agree to make the following Report Viz.<sup>t</sup>

Your Committee find that, by an Account from the Trustees in London, dated the 1:<sup>st</sup> of June 1770 that they had Purchased on the

U. H. J.  
Liber No. 36  
Oct. 30  
p. 472

16.<sup>th</sup> of November last £650 Capital Stock in the Bank of England for the use of this Province, and that, Pursuant to the late Act of Assembly, they had in April and May last Sold £10,000 of the Capital Stock belonging to the Province for the Sum of £15165 St.<sup>s</sup> clear of Brokerage and other incident Charges, and that by the said Account there was then £24650 Capital Stock in the Bank of England belonging to this Province which Cost £29877.4 St.<sup>s</sup> and the Sum of £15795.12.8 St.<sup>s</sup> in the hands of the said Trustees—

That, of the Bills drawn by the late Commissioners for the purpose of Sinking the Bills of Credit, there was then still unpaid one Bill of £637.16. St.<sup>s</sup> which had not been presented.

That the Commissioners for Emitting Bills of Credit have, pursuant to the directions of the Act of Assembly, Emitted 300,000 Dollars in Bills of Credit, that they have received from sundry Sheriffs the Sum of £1566.15 Current Money for Ordinary Licences, and have drawn on the Trustees in London the Sum of £14861.14. St.<sup>s</sup>, and on William and Mary Hunt the Sum of £470.6.10 St.<sup>s</sup>, in Bills of Exchange to sundry persons, that they have received from Jonathan Smith, Executor of Peter Bayard, the Sum of £188.5 Current Money, and for Interest on one Bond the Sum of £1.7.6 St.<sup>s</sup>

That the said Commissioners have lent out to sundry persons, on Bonds which have been produced to your Committee, the Sum of £83407.14.7 St.<sup>s</sup>, that they have paid away for printing the Bills of Credit 1000 Dollars, and for Office Expences in Bills of Credit to the value of £18.13.5 St.<sup>s</sup>, and for their and their Clerks Salaries 550 Dollars, and that there remains in the Office in Gold and Silver the Sum of £499.7.1 Current Money, as by the following Slate will appear.

p. 473.	1770.	The Commissioners for Emitting Bills of Credit	D. <sup>r</sup>
		To Bills of Credit Emitted Pursuant to an Act of Assembly 300,000 Dollars at 4/6.....	St. <sup>s</sup> 67,500.....
		To Money received from sundry Sheriffs for Ordinary Licences £1566.15.. Currency Exchange at 33½ p Cent.....	1,175.. 1.. 3
		To Bills of Exchange drawn on the Trustees in London .....	14,861..14....
		To Ditto on the Executors of W. <sup>m</sup> Hunt.....	470.. 6..10
		To Money received from Jonathan Smith Executor of Peter Bayard £188.5. Currency Exch: at 33½ p Cent .....	141.. 3.. 9
		To Money received for Interest.....	1.. 7.. 6
			<u>£84,149..13.. 4</u>

U. H. J.  
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1770.	Contra	C. r	
By Sundries for Money and Bills of Credit lent them and now out on Bonds with Securities amounting to .....		£68,075..13.. 9	
By Ann Catharine Green Paid her for Printing the Bills of Credit 1000 Dollars at 4/6.....		225.....	
By sundries for Bills of Exchange lent them on Bonds with Securities amounting to.....		15,332.....10	
By Office Expences Paid for Wood and other Necessaries for the Office.....		18..13.. 5	
By Ditto Paid the Commissioners Salary for One half Year 400 Dollars at 4/6.....		90.....	
By Ditto Paid the Clerks Salary for one half year 150 Dollars at 4/6.....		33..15....	
By Balance remaining in the Office in Gold and Silver £499..7..1 Cent .....		374..10.. 4	
		<u>£84,149..13.. 4</u>	

Your Committee have examined the Vouchers and Receipts for the Payments made to the Claimants on the Public, and find them all to be right— p. 474

	Dollars
Your Committee Observe that the Commissioners have, since last Session, paid out of the Bills of Credit in their Office to the Public Claimants the Sum of .....	128 39/90
To Sundries for Torn and Defaced Bills, which your Committee have Burnt this present Session.....	921 20/90
There is Still due to Sundry Claimants on the Journal and List of Debts.....	2,369 54/90
And there remains in the Iron Chest in Bills of Credit unapplied .....	15,518 34/90
	<u>18,937 57/90</u>

Your Committee have farther to observe, that, by a Report in November Session 1765, it appears that the Sum of £73..17..2 Current Money was then due from the Collector of the Land Tax for Queens Anns County, for the half Year ending the 29<sup>th</sup> of September 1763, and that the said Sum hath not yet been paid in.

Your Committee take leave to Observe that there is in the Office in Bills of Credit 18,000 Dollars to be Signed, and Delivered in Exchange for Torn and Defaced Bills—

U. H. J. All which is Submitted to the Consideration of both Houses of  
 Liber No. 36 Assembly this 29:<sup>th</sup> Day of October 1770.  
 Oct. 30

Benedict Calvert  
 Walter Dulany  
 Brice T B Worthington  
 Thomas Ringgold  
 Charles Grahame  
 John Eden  
 Young Parran  
 Thomas Contee

Read and rejected the Petition of Thomas Sligh.

Read, and Referred to the Consideration of the Lower House of Assembly, the Petition of Sundry Inhabitants of Somerset County for laying out a Road through a Swamp—So Endorsed and Sent by John Ridout Esquire—

This House having resumed the Consideration of the Petition of Edward Tilghman Esq.<sup>r</sup> and others. Referred the same to the  
 p. 475 Lower House of Assembly So Endorsed and Sent by William Fitzhugh Esq.<sup>r</sup>

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Mess.<sup>rs</sup> Gant and Beall bring up a Bill entituled An Act to continue the Power of Inspectors, and for other purposes therein mentioned—  
 Read the first and Second time in the Lower House and will pass.

Mess.<sup>rs</sup> Deye and Ware bring up a Bill entituled, An Act to enable the Commissioners for Emitting Bills of Credit to pay to John Duckett, William Mills, and John Peacock the Sums of Money therein mentioned, Read the first and Second time in the Lower House and will Pass. These two Bills were Read the first time in this House and ordered to lie on the Table.

Mess.<sup>rs</sup> Hall and Bordley bring up the following Engrossed Bills—  
 Read and Assented to by the Lower House of Assembly.

A Bill entituled An Act to remedy a Defect in the Acknowledgment of a Conveyance from Josias Connant to William Thornton—

A Bill entituled An Act to divide Saint Johns Parish in Baltimore County.

A Bill entituled An Act to invest Isaac Perkins with an exclusive Privilege and Benefit of making and Selling a Machine for Threshing of Wheat, on a Model by him invented.

These Bills were Read and Assented to by this House, and ordered



to be so Subscribed, the Paper Bills So Endorsed, Sent to the Lower House by George Steuart Esquire—

U. H. J.  
Liber No. 36  
Oct. 30

Read the second time by an especial Order in this House the Bill entituled An Act to continue the Power of Inspectors, and for other Purposes therein mentioned and will pass with the following Amendments Viz.<sup>t</sup> In the Title leave out the Words "*and for other Purposes therein mentioned*" and after the Word "*Warehouses.*" in the Twelfth line of the Second Page leave out the Residue of the Bill—So Endorsed & Sent by George Steuart Esq.<sup>r</sup>

Mess.<sup>rs</sup> Chase and Tilghman bring up a Bill entituled An Act for effectually Preventing the Buying and Selling of Offices, and to prevent Simoniactal Contracts—Read the first and second time in the Lower House and will pass—which was Read the first time in this House and ordered to lie on the Table—

p. 476

Adjourned until to Morrow Morning 10 of the Clock.

Wednesday Morning 31<sup>st</sup> October 1770.

Oct. 31

The House met again according to Adjournment.

Present as Yesterday and Col.<sup>o</sup> Hammond.

On Motion, Leave is given to bring in a Bill entituled, An Act to revive Part of an Act entituled An Act for Amending the Staple of Tobacco, for preventing Frauds in his Majestys Customs, and for the Limitation of Officers Fees. Daniel Dulany Esq.<sup>r</sup> brings in the same which was Read the first time and ordered to lie on the Table.

Agreeable to the Order of the Day, the House resumed the Consideration of the Petition of Arthur Holt and after examining several Evidences, and hearing Counsel in Support thereof—Postponed the further Consideration of the same.

Mess.<sup>rs</sup> N. Thomas and Deye bring up a Bill entituled, An Act directing the Sale of Part of the Lands of Henry Baker, late of Cecil County Deceased for the Payment of the Debts of the said Henry Baker, Read the first and Second time in the Lower House and will pass—

Mess.<sup>rs</sup> Allen and Dashiell bring up a Bill entituled, An Act for the Relief of Nehemiah Tilghman and Solomon Townshend, and Confirm the Contract made between the said Nehemiah Tilghman, and a certain Major Townshend, Read the first and Second time in the Lower House and will Pass—These two Bills were Read the first time in this House & ordered to lie on the Table.

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

U. H. J.  
Liber No. 36  
Oct. 31

Present as in the Morning.

p. 477 Read the Second time, in this House, the Bill entitled, An Act to ease the Inhabitants of this Province in the Payment of Attornies Fees, and will pass with the following Amendments Viz.<sup>t</sup> After the Word "*Same*," in the fourth Line of the fourth Page insert as follows—"Whereas by an Act entitled, An Act for rectifying the ill Practices of Attornies of this Province, and ascertaining Fees to the Attorney General Clerk of Indictments, Attornies, and Practitioners of the Law in the Courts of this Province, and for levying the same by way of Execution, it is amongst other things especially enacted, that if any Attorney or person Practising the Law, in any of the Courts of this province, do presume to ask, receive, take, or demand any greater, or larger Fee, than by the said Act appointed, and be thereof legally Convicted, he shall be incapable to Practise the Law in any Court of this Province, for the future, And, Whereas it would be of very little Avail towards the Ease of Suitors to regulate and limit the Fees of Lawyers, unless they be strictly held, not to ask, receive, take or demand any Fees beyond such Regulation and Limitation, Be it therefore enacted by the Authority aforesaid, that no Attorney or Lawyer shall Plead the Cause of any Suitor, or appear in, or undertake any Suit or Cause, in any Court of this Province, after the end of this present Session of Assembly, unless such Attorney or Lawyer, in each Court in which he shall Practice, at the first Sitting thereof, at which such Attorney or Lawyer shall Appear and undertake or be concerned in any Suit or Cause, take and Subscribe in Open Court, the Oath following to wit. I A. B. do Solemnly Promise and Swear that I will not during the Continuance of the Act intituled An Act to Ease the Inhabitants of this Province in the Payment of Attornies Fees, in any manner, or of any person, directly or indirectly ask, receive, take, or demand, in Money, or Tobacco, or any other Matter, or Thing, any greater or larger Satisfaction, Reward, Gratuity, or Fees than by the said Act Appointed, So help me God. And the Judges and Justices, in and of the several Courts of this Province, are required and enjoined not to permit or suffer any Attorney or Lawyer to practice in their respective Courts unless such Attorney or Lawyer shall first take and Subscribe in Open Court the Oath aforesaid—Provided

p. 478 always that this Act, or anything therein contained, shall not extend to hinder any Attorney, or Lawyer, from finishing and bringing to a Determination the Suits or Causes now depending, and in which they have been really and actually employed by any party or parties interested therein"—So Endorsed and Sent to the Lower House by William Fitzhugh Esquire.

Read the second time, by an especial Order in this House, the Bill intituled an Act to revive and continue part of an Act entitled An Act for Amending the Staple of Tobacco, for preventing Frauds

in his Majestys Customs, and for the Limitation of Officers Fees, and the Supplementary Act thereto—and will pass, so Endorsed and Sent by Daniel Dulany Esquire.

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Liber No. 36  
Oct. 31

Read the second time in this House, a Bill entituled An Act directing the Sale of Part of the Lands of Henry Baker, late of Cecil County Deceased, for the Payment of the Debts of the said Henry Baker, and will Pass—So Endorsed and Sent by Walter Dulany Esquire.

Adjourned until to Morrow Morning 10 of the Clock.

Thursday Morning 1<sup>st</sup> November 1770.

Nov. 1

The House met again according to Adjournment.

Present as Yesterday.

Read the Second time, in this House, and will not pass, the Bill entituled An Act for issuing Replevins out of the County Courts of this Province.

Read the Second time in this House and will not Pass the Bill entituled An Act to impose a further Duty on Negroes imported into this Province, and for the better support of County Schools—These two Bills were severally Endorsed, and Sent to the Lower House by Walter Dulany Esq.

Read the second time in this House, the Bill entituled An Act for the Relief of Nehemiah Tilghman, and Solomon Townshend, and to Confirm the Contract made between the said Nehemiah Tilghman and a certain Major Townshend—and will pass, with the following Amendment, to wit, After the Word. "*same*," in the last line of the last Page insert as follows Viz.<sup>t</sup> "Saving to the Heir of the said Major Tilghman a Liberty of showing Cause if any he hath or can shew to the Chancellor of this Province for the time being, at any time within six Months after he shall arrive at the Age of twenty one years, why the said Contract and Obligation by the aforesaid Major Tilghman entered into with the said Stephen Revell, ought not to have been specifically Performed, and upon such Cause shewn to the satisfaction of the said Chancellor, that then this Act be void any Clause Matter or Thing herein to the contrary in any wise notwithstanding"—so Endorsed and Sent to the Lower House by Walter Dulany Esquire.

p. 479

Read, and Referred to the Consideration of the Lower House of Assembly, the Petition of William Hilleary, a Prisoner in Frederick County Goal—So Endorsed and Sent by

Mess:<sup>rs</sup> Griffith and Chase bring up a Bill entituled An Act for the Relief of Thomas Weems—Read the first and Second time in the Lower House and will pass—which was Read the first and

U. H. J. Second time, by an Especial Order, in this House, and will pass—  
 Liber No. 36 So Endorsed and Sent by John Beale Bordley Esquire—  
 Nov. 1

Read the Second time in this House the Bill entituled An Act for more effectually preventing the Buying and Selling of Offices, and to prevent Simoniackal Contracts, and will Pass—with the following Amendments—In the third Page and in the fourteenth Line, after the Word "*General*" insert "*Judge or,*" and Leave out the Words that follow—after the Word "*Office*" in the said line to the Word "*committed,*" in the fifteenth Line inclusive. After the Word "*Fees,*" in the third Page in the Oath Prescribed insert the following Words Viz.<sup>t</sup> "and according to the Reservation of part of the Profits as expressed in my Appointment or Commission," and after the Word "*recovered,*" in the Sixth line of the fourth Page leave out what follows to the Word "*Publick*" inclusive, and insert the following Words "by the person who shall sue for the same by Bill, Plaint, Action or Information" and after the Word "*Office*" in the Eighteenth line of the said Page insert the following proviso to wit "Provided always and be it enacted, by the Authority aforesaid, that  
 p. 480 this Act or any Thing therein contained shall not in any wise extend or be Prejudicial or hurtful to any Reservation of part of the Profits of an Office or Deputation, by the person conferring such Office or Deputation, the said Reservation being expressed in the Commission or Appointment to such Office or Deputation, but that such Reservation shall have the same Effect as the same would or might have had before the making of this Act and not otherwise any thing above mentioned notwithstanding"—and after the Word "*Consent*" in the seventh Line of the fifth Page add the following Words. "and that I will Diligently and faithfully perform the several Duties appertaining into my Office according to the best of my Power and Ability" And in the Eleventh line of the same Page leave out the Words "*or to resign his Benefice.*" So Endorsed and Sent to the Lower House by Daniel Dulany Esquire.

The House again Resumed the Consideration of the Petition of Arthur Holt of Queen Anns County, and after mature Deliberation thereon Rejected the same.

Adjourned until to Morrow Morning 10 of the Clock.

Nov. 2

Friday Morning 2.<sup>d</sup> October [*sic*] 1770.

The House met again according to Adjournment.

Present as Yesterday.

Ordered that the Clerk of this House receive the same Fees on all private Bills passed this Session as shall be paid to the Clerk of the Lower House.



Mess.<sup>rs</sup> Allen and Thomas bring up the two following Engrossed Bills, Read and Assented to by the Lower House of Assembly.

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Nov. 2

A Bill entitled An Act for the Relief of Nehemiah Tilghman, and Solomon Townshend, and to confirm the Contract made between the said Nehemiah Tilghman and a certain Major Townshend.

A Bill entitled, An Act directing the Sale of part of the Lands of Henry Baker late of Cecil County Deceased, for the Payment of the Debts of the said Henry Baker.

Mess.<sup>rs</sup> Griffith and Tyler bring up the following Engrossed Bill. Read and Assented to by the Lower House of Assembly.

A Bill entitled An Act for the Relief of Thomas Weems—These three Bills were Read and Assented to by this House, and Ordered to be so Subscribed the Paper Bills so Endorsed Sent by John Ridout Esq.<sup>r</sup> p. 481

Benedict Calvert and Daniel Dulany Esquires are Sent to acquaint the Lower House that his Excellency requires their Attendance in the Upper House immediately, to see the Bills Passed this Session receive the Assent.

The Lower House attend, and by their Speaker present to his Excellency the following Bills:

A Bill entitled An Act to Unite the Free Schools of Somerset and Worcester Counties.

A Bill entitled, An Act to enable the Justices of Dorchester County Court, to Assess and Levy on the Taxable Inhabitants of the said County, a Quantity of Tobacco for the Purpose of Building a Court House.

A Bill entitled, An Act to repeal part of an Act to encourage the Destroying of Wolves Crows and Squirrels.

A Bill entitled, An Additional Supplementary Act to the Act entitled An Act for erecting a new Parish in Kent County, called Chester Parish, and for Building a Parish Church, and enlarging a Chapel of Ease within the said Parish.

A Bill entitled An Act for the Building a Parish Church in Queen Ann Parish in Prince Georges County—

A Bill entitled An Act to remedy a Defect in the Acknowledgment of a Conveyance from Josias Connant to William Thornton.

A Bill entitled An Act to invest Isaac Perkins with an exclusive Privilege and Benefit of making and Selling a Machine for Threshing of Wheat, on a Model by him invented.

A Bill entitled An Act to divide Saint Johns Parish in Baltimore County.

A Bill entitled, An Act for the Relief of Thomas Weems.

A Bill entitled, An Act directing the Sale of part of the Lands

U. H. J. of Henry Baker, late of Cecil County deceased, for the Payment of  
Liber No. 36 the Debts of the said Henry Baker.  
Nov. 2

p. 482 A Bill entituled, An Act for the Relief of Nehemiah Tilghman and Solomon Townshend and to Confirm the Contract made between the said Nehemiah Tilghman and a certain Major Townshend—

All which his Excellency Passed into Laws, in the usual form, by Sealing them with the Right Honourable the Lord Proprietary his Great Seal at Arms, and Subscribing them “On Behalf of the Right Honourable the Lord Proprietary of this Province” I Will this be a Law.

After which his Excellency was pleased to make the following Speech

Gentlemen of the Upper and Lower Houses of Assembly.

I have thought fit, with the Advice of His Lordships Council of State, to Prorogue this Assembly until Monday the 5:<sup>th</sup> Day of this Instant, You will therefore, be pleased to take Notice that You are Prorogued to that Day accordingly—

Thus ends this Session of Assembly begun and held at the City of Annapolis on Tuesday the 25:<sup>th</sup> Day of September ending the 2:<sup>d</sup> Day of November following in the Twentieth Year of His Lordships Dominion and in the Year of Our Lord 1770

U Scott Cl. Up. Ho.

# PROCEEDINGS OF THE LOWER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Tuesday the twenty fifth Day of September in the Year of our Lord seventeen hundred and seventy and in the twentieth Year of the Dominion of the Right Honourable Frederick Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &.<sup>ta</sup> (His Excellency Robert Eden Esq<sup>r</sup> being Governor) the following Members appeared in the Lower House

L. H. J.  
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1770  
Sept. 25  
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## For Saint Mary's County

M.<sup>r</sup> John Eden  
M.<sup>r</sup> William Thomas

## For Kent County

M.<sup>r</sup> Thomas Ringgold  
M.<sup>r</sup> Stephen Bordley  
M.<sup>r</sup> Richard Gresham

## For Ann Arundel County

M.<sup>r</sup> Samuel Chase  
M.<sup>r</sup> Brice Tho.<sup>s</sup> Beale Worthing-  
ton  
M.<sup>r</sup> Thomas Johnson junior  
M.<sup>r</sup> Henry Griffith

## For Calvert County

M.<sup>r</sup> Benjamin Mackall 4.<sup>th</sup>  
M.<sup>r</sup> Edward Gantt  
M.<sup>r</sup> Young Parran  
M.<sup>r</sup> Charles Grahame

## For Charles County

M.<sup>r</sup> Francis Ware  
M.<sup>r</sup> Joseph Hanson Harrison

## For Somerset County

M.<sup>r</sup> Levin Gale

## For Talbot County

M.<sup>r</sup> John Goldsborough  
M.<sup>r</sup> Matthew Tilghman  
M.<sup>r</sup> Nicholas Thomas

## For Dorchester County

M.<sup>r</sup> Henry Hooper  
M.<sup>r</sup> Henry Steele  
M.<sup>r</sup> Edward Noel

## For Cecil County

M.<sup>r</sup> William Ward

## For the City of Annapolis

M.<sup>r</sup> John Hall  
M.<sup>r</sup> William Paca

## For Prince George's County

M.<sup>r</sup> Robert Tyler  
M.<sup>r</sup> Mordecai Jacob

## For Queen Anne's County

M.<sup>r</sup> Edward Tilghman  
M.<sup>r</sup> Thomas Wright

## For Worcester County

M.<sup>r</sup> Joseph Dashiell

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For Frederick County

M.<sup>r</sup> William Luckett

A sufficient Number of Members to compose a House being convened at the Stadt House; Ordered, That M.<sup>r</sup> Ringgold and M.<sup>r</sup> Paca do acquaint his Excellency the Governor therewith, and also, that since the last Session of Assembly this House hath unhappily lost their Speaker.

Benedict Calvert and Daniel Dulany Esquires from the Upper House acquaint the Members of this House that the Governor requires their Attendance immediately in the Upper House—

The Members of the Lower House accordingly attended his Excellency in the Upper House.

His Excellency required the Members of the Lower House to return to their House and make Choice of a Speaker.

The Members of the Lower House returned accordingly, and unanimously made Choice of M.<sup>r</sup> Edward Tilghman to be their Speaker, and placed him in the Chair.

Ordered, That M.<sup>r</sup> Johnson and M.<sup>r</sup> Hall do acquaint his Excellency, that this House hath made choice of a Speaker.

John Ridout, and John Beale Bordley, Esquires, from the Upper House, acquaint the Members of this House, that the Governor requires them to present their Speaker to him.

M.<sup>r</sup> Speaker left the Chair, and (with the Members of the Lower House) went to the Upper House, where he was presented by the Members of the Lower House, to his Excellency.

His Excellency approved the Choice, and made the following Speech—

p. 66 Gentlemen of the Upper and Lower Houses of Assembly

Having Regard to the temperate Season of the Year, the stated Terms of the Courts of Justice, and to the Convenience of your private Affairs, I have called you together at this Time, which on those Considerations, will, I hope, prove agreeable to You.

Gentlemen of the Lower House

Some Papers concerning Indian Affairs, I shall order to be laid before you. Considering the peculiar Circumstances of this Country, the Incertainty with Respect to the Part the other Colonies might be induced to take in this Business, and the Manner in which it was communicated to me, it did not strike me as an Object of so great Importance, as to require a particular Meeting of the general Assembly at a very inconvenient Season, and therefore I reserved it for your Deliberation at this Time, to which I now recommend it, and that you will make such Provisions on the Subject, as you may deem to be expedient; this Business remaining yet unsettled, Com-



missioners from one Neighbouring Province only, having attended at the Place and Time appointed

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I have the Honour of a Letter from his Excellency Lord Botetourt, Governor of Virginia, written at the Request of the House of Burgesses of that Dominion, which I shall also order to be laid before you. His Lordship's earnest Sollicitude, and my Persuasion of the Propriety and Utility of the Measure, call upon me to recommend it to you in the strongest Manner to join the Colony of Virginia in erecting and supporting a Light House on Cape Henry. Permit me to desire also your peculiar Attention to the State of our Criminal Law. What Defects you shall discover therein, it is in your Power to remedy. I have already experienced the Want of Precision on this Head, to be productive of very great Inconvenience.

Gentlemen of both Houses,

Be assured that the Sanction of my Authority shall be given with the utmost Alacrity and Satisfaction to all such Regulations as your Experience has found to be most conducive to the Prosperity of the Province and your Prudence and Regard for the Public Good shall adopt and propose.

M.<sup>r</sup> Speaker (with the rest of the Members) returned to the Lower House, and resumed the Chair.

Ordered, That the Governor's Speech be read, and it was read accordingly.

M.<sup>r</sup> John Paca, M.<sup>r</sup> Aquila Hall, and M.<sup>r</sup> John Matthews, Members returned for Baltimore County; M.<sup>r</sup> Robert Henly Courts, a Member returned for Charles County; and M.<sup>r</sup> Joseph Gilpin, a Member returned for Cæcil County, appeared in the House.

Ordered, That M.<sup>r</sup> Ward and M.<sup>r</sup> Ware do go with those Gentlemen to the Upper House to see them qualified. They return and acquaint M.<sup>r</sup> Speaker they saw them qualified in the usual Manner. The Gentlemen took their Seats in the House—

Ordered That M.<sup>r</sup> Wright and M.<sup>r</sup> Griffith do wait on his Excellency and inform him that this House hath made Choice of M.<sup>r</sup> John Duckett to be their Clerk in the Room of M.<sup>r</sup> Turbutt Wright who has resigned and to desire his Approbation—They return and acquaint M.<sup>r</sup> Speaker his Excellency approved the Choice

Ordered, That M.<sup>r</sup> Worthington and M.<sup>r</sup> Luckett do go with M.<sup>r</sup> Duckett to the Upper House to see him qualified as Clerk of this House. They return and acquaint M.<sup>r</sup> Speaker they saw M.<sup>r</sup> Duckett qualified by taking the several Oaths to the Government required by Law, subscribing the Oath of Abjuration repeating and signing the Test and by taking the following Oath Viz.<sup>t</sup> "You John Duckett do swear, that as Clerk of the Lower House of Assembly, you shall true Entries make of all such Matters and Things as by the Honourable Speaker for the Time being and that House shall be to you

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directed: The Secrets of the said House you shall not divulge to the Prejudice of the House or any Member thereof; but shall in all Things as Clerk to the said House well and truly demean yourself according to the best of your Skill and Knowledge. So help you God.”

M.<sup>r</sup> James Hollyday, a Member for Queen Ann’s County, is in Town, sick and unable to attend

The House appoints Robert Reynolds Door-Keeper

Ordered, That the Clerk of this House do inform M.<sup>r</sup> Ghiselin thereof and request him to qualify said Reynolds as Door-Keeper to the Lower House of Assembly

The House adjourns till Three of the Clock Afternoon

#### Post Meridiem

The House met according to Adjournment—

M.<sup>r</sup> Selby, M.<sup>r</sup> Purnell, and M.<sup>r</sup> Wootton appeared in the House

Ordered, That his Excellency’s Speech be read a second Time. Which was read accordingly.

Ordered, That M.<sup>r</sup> Johnson, M.<sup>r</sup> Tilghman, M.<sup>r</sup> John Hall, M.<sup>r</sup> Ringgold, M.<sup>r</sup> Chase and M.<sup>r</sup> W. Paca do prepare and bring in an Address to his Excellency in Answer to his Speech—

Resolved, That the Hours for sitting for Dispatch of the publick Business, during this Session, be from Eight O’Clock in the Morning, until One O’Clock in the Afternoon

Ordered, That M.<sup>r</sup> Speaker do issue his Warrant to the Secretary of this Province requiring him to make out new Writs of Election directed to the Sheriff of Queen Ann’s County to elect a Delegate to serve in this present General Assembly, in the Room of the late Honourable Speaker deceased; and to the Sheriff of Somerset County, to elect a Delegate in the Room of M.<sup>r</sup> William Hayward who is removed to the Upper House

Ordered, That M.<sup>r</sup> Bordley do acquaint the Reverend M.<sup>r</sup> Boucher that he is desired by this House to read Divine Service every Morning, during this Session, at three Quarters after Seven

On Motion, Ordered, That the several Papers referred to in his Excellency’s Speech be read; and they were read accordingly.

M.<sup>r</sup> Reverdy Ghiselin certifies that Robert Reynolds has qualified himself as Door-Keeper to the Lower House of Assembly by taking the several Oaths to the Government required by Law, repeating the Test and subscribing the Oath of Abjuration, and also by taking the following Oath of Office “You Robert Reynolds do swear that you will faithfully diligently, and honestly discharge the Office of Door-Keeper to the Lower House of Assembly and that you will not discover or reveal the Secrets thereof—So help you God”

The House adjourns till To-Morrow Morning Eight O’Clock

Wednesday 26:<sup>th</sup> September 1770

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Contee appeared in the House.

Ordered, That the Gentlemen who were on the Committee to inspect the Arms and Ammunition, and the Accounts relating thereto, appointed by this House last Session, be continued thereon this Session.

Ordered, That a Message be prepared to the Upper House acquainting them with the Hours this House hath appointed for their Sitting for the Dispatch of the publick Business during this Session.

Ordered, That M.<sup>r</sup> Ringgold, M.<sup>r</sup> Grahame, M.<sup>r</sup> Worthington, M.<sup>r</sup> Eden, M.<sup>r</sup> Steele, M.<sup>r</sup> Contee and M.<sup>r</sup> Parran join one or more of the Members of the Upper House as a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit.

Ordered, That a Message be prepared to the Upper House, acquainting them therewith

Ordered, That the Rules of last Session be observed as the Rules of this Session

The following Message was sent to the Upper House by M.<sup>r</sup> Grahame and M.<sup>r</sup> Worthington

By the Lower House of Assembly 26:<sup>th</sup> September 1770  
May it please your Honours,

This House hath appointed Mess.<sup>rs</sup> Ringgold, Grahame, Worthington, Eden, Steele, Contee and Parran to join one or more of the Members of your House as a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit

Signed p Order Jn.<sup>o</sup> Duckett Cl. Lo. Ho.

They return and acquaint M.<sup>r</sup> Speaker they delivered the Message

The following Message was sent to the Upper House by M.<sup>r</sup> Mackall and M.<sup>r</sup> Hooper

By the Lower House of Assembly September 26:<sup>th</sup> 1770  
May it please your Honours,

This House hath appointed from Eight O'Clock in the Morning till One in the Afternoon for its Sitting every Day during this Session for the Dispatch of the publick Business.

Signed by Order Jn.<sup>o</sup> Duckett Cl. Lo. Ho.

They return and acquaint M.<sup>r</sup> Speaker they delivered the Message

On Motion, Ordered, That M.<sup>r</sup> Chase, M.<sup>r</sup> Goldsborough and M.<sup>r</sup> N. Thomas be a Committee to enquire what Laws will expire

L. H. J.  
Liber No. 54  
Sept. 26  
p. 68

L. H. J. this Session and report the same to the House The several Papers  
 Liber No. 54 communicated by his Excellency were read a second Time and  
 Sept. 26 referred for Consideration on Wednesday next

Ordered, That the Matter recommended in his Excellency's Speech relative to the Criminal Law be taken into Consideration on Thursday the fourth Day of October next

Ordered, That M.<sup>r</sup> Gale, M.<sup>r</sup> Selby, M.<sup>r</sup> N. Thomas, M.<sup>r</sup> Hooper M.<sup>r</sup> Bordley, M.<sup>r</sup> Worthington, M.<sup>r</sup> Ward, M.<sup>r</sup> Ware, M.<sup>r</sup> Hollyday, M.<sup>r</sup> Johnson, M.<sup>r</sup> Chase, M.<sup>r</sup> Lockett, M.<sup>r</sup> J. Paca, M.<sup>r</sup> Gantt, M.<sup>r</sup> W. Thomas, M.<sup>r</sup> Tyler and M.<sup>r</sup> W. Paca be a Committee of Grievances & Courts of Justice

M.<sup>r</sup> Ward, M.<sup>r</sup> Goldsborough, M.<sup>r</sup> Tilghman, M.<sup>r</sup> J. Hall, and M.<sup>r</sup> Bordley, a Committee of Elections and Privileges.

M.<sup>r</sup> Goldsborough, M.<sup>r</sup> Wright, M.<sup>r</sup> Hooper, M.<sup>r</sup> Gilpin and M.<sup>r</sup> Aq Hall a Committee of Accounts—

M.<sup>r</sup> Tyler, M.<sup>r</sup> Mackall, M.<sup>r</sup> Hooper, M.<sup>r</sup> Harrison, M.<sup>r</sup> J. Hall, M.<sup>r</sup> Purnell, M.<sup>r</sup> Griffith, M.<sup>r</sup> Gantt, M.<sup>r</sup> Selby and M.<sup>r</sup> W. Thomas a Committee to inspect into the several publick Offices and report to the House the State and Condition of them—

p. 69 Ordered, That the Committee of Grievances and Courts of Justice do forthwith publish in the Maryland Gazette their Hour and Place of Sitting during this Session

Benedict Calvert Esq from the Upper House delivered to M.<sup>r</sup> Speaker the following Message

By the Upper House of Assembly September 26.<sup>th</sup> 1770  
 Gentlemen,

This House hath appointed Benedict Calvert and Walter Dulany Esquires to join the Members of your House, named by you for the Purposes in your Message of this Morning by Mess.<sup>rs</sup> Grahame and Worthington.

Signed by Order U Scott Cl. Up. Ho.

William Fitzhugh Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Petition of Abraham Barnes of Saint Marys County, praying an Act may pass to cure the Defect in the Acknowledgment of a Conveyance made by Josiah Conant to William Thornton, thus indorsed "By the Upper House of Assembly September 26.<sup>th</sup> 1770 Read and referred to the Consideration of the Lower House of Assembly—

Signed by Order U Scott Cl. Up. Ho."

Which Petition was read here and ordered to lie on the Table.  
 The House adjourns till To-Morrow Morning Eight O'Clock



Thursday September 27:<sup>th</sup> 1770

L. H. J.  
Liber No. 54  
Sept. 27

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday—

The Proceedings of Yesterday were read.

M.<sup>r</sup> Smallwood and M.<sup>r</sup> Key appeared in the House.

The Petition of Abraham Barnes was read a second Time

Ordered, That M.<sup>r</sup> Eden M.<sup>r</sup> W. Thomas and M.<sup>r</sup> Bordley be a Committee to examine into the Truth of the ffacts alledged in the Petition, and report the same to the House.

M.<sup>r</sup> Johnson from the Committee brings in and delivers to M.<sup>r</sup> Speaker an Address to his Excy which was read, approved, and ordered to be ingrossed.

M.<sup>r</sup> Johnson brings in and delivers to M.<sup>r</sup> Speaker the following ingrossed Address

To his Excellency Robert Eden, Esquire, Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates

May it please your Excellency,

We his Majesty's most dutiful and loyal Subjects the Delegates of the Freemen of Maryland in General Assembly convened return your Excellency our Thanks for your Speech at the Opening of this Session, and the Assurance you have been pleased to give Us, that the Sanction of your Authority shall be given with the utmost Alacrity and Satisfaction to all Regulations most conducive to the Prosperity of the Province. We have already appointed a Time for taking into Consideration the several Matters recommended to Us by your Excellency, and are not without Hopes that the Result of our Deliberations on these and all other Matters which may come before us, will merit your Approbation and evince our firm Attachment to the Public Good.

Which was read and assented to and signed by Order of the House by the Honourable Speaker

Ordered, That M.<sup>r</sup> Grahame and M.<sup>r</sup> Aquila Hall do acquaint his Excellency that this House hath prepared an Address to be presented to him and desires to know when and where he will be pleased to receive it.

They return and acquaint M.<sup>r</sup> Speaker that his Excellency was pleased to signify he would receive the Address at Eleven O'Clock in the Conference Chamber

Ordered, That M.<sup>r</sup> Johnson, M.<sup>r</sup> Tilghman, M.<sup>r</sup> J. Hall, M.<sup>r</sup> Ringgold, M.<sup>r</sup> Chase and M.<sup>r</sup> W. Paca do present the Address to his Excellency.

They return and acquaint M.<sup>r</sup> Speaker they delivered the Address to his Excellency

L. H. J. M.<sup>r</sup> N. Thomas brings in and delivers to M.<sup>r</sup> Speaker the following  
 Liber No. 54 Report  
 Sept. 27

By the Committee appointed to enquire what Laws will expire this Session and report the same to the House.

p. 70 Your Committee beg Leave to observe that the Act entitled An Act for amending the Staple of Tobacco for preventing ffrauds in his Majesty's Customs and for the Limitation of Officers ffees made at a Session of Assembly begun and held at the City of Annapolis the fourth Day of October seventeen hundred and sixty three and the Supplementary Act thereto passed November Session seventeen hundred and sixty six will expire on the first day of October next—

That the Act entitled an Act for amending and repairing the Public Roads in Baltimore County made at a Session of Assembly begun and held at the City of Annapolis the first Day of November seventeen hundred and sixty six will expire on the last Day of October next

That the Act entitled An Act for the speedy and effectual Publication of the Laws of this Province and for the Encouragement of Ann Catharine Green of the City of Annapolis Printer made at a Session of Assembly begun and held at the City of Annapolis the seventeenth Day of November seventeen hundred and sixty nine will expire on the twenty fifth Day of December next

Signed per Order R Dobinson Cl. Com.

Which was read and ordered to lie on the Table

The Report brought in by M.<sup>r</sup> N. Thomas was read a second Time

On Motion for Leave to bring in a Bill for the Continuance and Amendment of an Act entitled An Act for amending the Staple of Tobacco, for preventing ffrauds in his Majesty's Customs and for the Limitation of Officers ffees and the Supplementary Act thereto

Ordered, That the Subject Matter of the said Motion be taken into Consideration To Morrow Morning at the Sitting of the House

On Motion, Leave given to bring in a Bill entitled An Act for the speedy and effectual Publication of the Laws of this Province and for the Encouragement of Ann Catharine Green of the City of Annapolis Printer—

Ordered, That M.<sup>r</sup> J. Hall, M.<sup>r</sup> Grahame and M.<sup>r</sup> Bordley do prepare and bring in the same

M.<sup>r</sup> Heugh, M.<sup>r</sup> Dickinson and M.<sup>r</sup> Beall appeared in the House

Ordered, That no Claims be received by the Committee of Accounts against the Public after Saturday the sixth Day of October next, and that the Journal of Accounts be closed to that Day; and that the said Committee forthwith give publick Notice thereof

M.<sup>r</sup> Dickinson added to the Committee of Accounts

L. H. J.  
Liber No. 54  
Sept. 27

Ordered, That it be the further Duty of the Committee of Grievances and Courts of Justice to enquire into the Form of Oath administered to the several and respective Officers within this Province, and that they be particularly observant of any new form of Oath administred as an Oath of Office or any Alteration that may have been made in any Official Oath, and report the same to this House

The House adjourns till To-Morrow Morning Eight O'Clock

Friday September 28:<sup>th</sup> 1770

Sept. 28

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read

A Petition of sundry the Inhabitants of Ann Arundel and Frederick Counties, praying that the Time for inspecting Tobacco, may be lengthened to the twentieth Day of August, was read the first Time and ordered to lie on the Table

M.<sup>r</sup> Speaker presents to the House a Letter from Jabez Hamlin Esquire, Speaker of the House of Burgesses of the Colony of Connecticut, directed to the late Honourable Speaker of this House inclosing several Resolves entered into by the House of Burgesses of that Colony—Which Letter and Resolves were read and ordered to lie on the Table

On Motion, Leave given to bring in a Bill entitled An Act continuing an Act entitled An Act for amending the Staple of Tobacco for preventing Frauds in his Majesty's Customs and for the Limitation of Officers fees and the Supplementary Act thereto. p. 71

Ordered, That M.<sup>r</sup> Bordley, M.<sup>r</sup> Ringgold and M.<sup>r</sup> Chase do prepare and bring in the same

M.<sup>r</sup> Bordley from the Committee brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled An Act continuing an Act entitled an Act for amending the Staple of Tobacco for preventing Frauds in his Majesty's Customs and for the Limitation of Officers fees and the Supplementary Act thereto. Which was read a first and second Time by an especial Order and will pass. Sent to the Upper House by M.<sup>r</sup> Grahame and M.<sup>r</sup> Steele. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

John Ridout Esquire from the Upper House delivers to M.<sup>r</sup> Speaker the Bill entitled an Act continuing An Act entitled an Act for amending the Staple of Tobacco for preventing Frauds in his Majesty's Customs and for the Limitation of Officers fees and the Supplementary Act thereto thus indorsed. "By the Upper House of

L. H. J. Assembly September 28:<sup>th</sup> 1770 Read the first and second Time by  
Liber No. 54 an especial Order and will pass.  
Sept. 28

Signed by Order U Scott Cl. Up. Ho.”

Which Bill was read here and past for ingrossing

On Motion, Leave given to bring in a Bill for amending the Staple of Tobacco for preventing Frauds in his Majesty’s Customs and for the Regulation of Officers fees.

Ordered, That M.<sup>r</sup> J. Hall, M.<sup>r</sup> Johnson, M.<sup>r</sup> W. Paca, M.<sup>r</sup> Chase, M.<sup>r</sup> Worthington, M.<sup>r</sup> N. Thomas, M.<sup>r</sup> Ringgold, M.<sup>r</sup> Tilghman, M.<sup>r</sup> Bordley, M.<sup>r</sup> Gale and M.<sup>r</sup> Grahame do prepare and bring in the same.

His Excellency communicated to M.<sup>r</sup> Speaker the following Message

Gentlemen of the Lower House of Assembly

My sincerest Thanks are due to you for your obliging Address—Your immediate Attention to fix a Time for considering the Matters recommended to you, shows the Zeal of your Inclinations for dispatching the Public Business

Rob.<sup>t</sup> Eden

28:<sup>th</sup> September 1770

Messieurs Thomas Brooke Hodgkin and John Johnson are appointed Clerks to the several Committees

Ordered, That they be qualified as such

On Motion, Resolved, That this House will, To-Morrow Morning, at the Meeting of the House, resolve itself into a Committee of the whole House, to take into Consideration the Regulation of Officers fees.

The Letter and Papers presented by M.<sup>r</sup> Speaker to the House, read a second Time

The House adjourns till To-Morrow Morning Eight O’Clock

Sept. 29

Saturday September 29:<sup>th</sup> 1770

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Speaker reports to the House the following Certificates.

Ann Arundel County ss.<sup>t</sup>

I hereby certify that on the 29.<sup>th</sup> Day of September 1770 came Thomas Brooke Hodgkin before me the Subscriber one of the Justices of the Peace of the said County and took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, and the following Oath Viz.<sup>t</sup> I Thomas



Brooke Hodgkin do swear that I will true Entries make of all such Matters and Things as shall be to me directed by any Committee of the Lower House of Assembly for whom I shall act as Clerk and that I will not divulge the Secrets of the said House or of any Committee thereof but will in all Things well and truly demean myself according to the best of my Skill and Knowledge.

L. H. J.  
Liber No. 54  
Sept. 29

R Ghiselin

Ann Arundel County ss.<sup>t</sup>

p. 72

I hereby certify that on the 29:<sup>th</sup> Day of September 1770 came John Johnson before me the Subscriber one of the Justices of the Peace for the said County and took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test and the following Oath Viz.<sup>t</sup> I John Johnson do swear that I will true Entries make of all such Matters and Things as shall be to me directed by any Committee of the Lower House of Assembly for whom I shall act as Clerk and that I will not divulge the Secrets of the said House of Assembly or of any Committee thereof but will in all Things well and truly demean myself according to the best of my Knowledge

R Ghiselin

The ingrossed Bill entitled an Act continuing An Act entitled An Act for amending the Staple of Tobacco for preventing Frauds in his Majesty's Customs and for the Limitation of Officers fees, and the Supplementary Act thereto, with the Paper Bill thereof sent to the Upper House by M.<sup>r</sup> Wright and M.<sup>r</sup> Gilpin. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bills

The Petition of Part of the Inhabitants of Saint Mary's County praying another Inspector may be appointed at Lewellin's Warehouse being read a second Time the same was granted

George Steuart Esquire from the Upper House delivers to M.<sup>r</sup> Speaker the Paper Bill Entitled an Act continuing An Act entitled An Act for amending the Staple of Tobacco for preventing frauds in his Majesty's Customs and for the Limitation of Officers fees and the Supplementary Act thereto thus indorsed "By the Upper House of Assembly September 28:<sup>th</sup> 1770 The ingrossed Bill whereof this is the Original read and assented to.

Signed by Order. U Scott Cl. Up. Ho."

John Beale Bordley and William Fitzhugh Esquires from the Upper House acquaint M.<sup>r</sup> Speaker that the Governor requires the Attendance of this House in the Upper House to see the Bill passed that lay before them.

M.<sup>r</sup> Speaker left the Chair, and (with the Members of this House) went to the Upper House and there presented the following Bill to his Excellency

L. H. J. An Act entitled An Act continuing An Act entitled An Act for  
 Liber No. 54 amending the Staple of Tobacco for preventing ffrauds in his Maj-  
 Sept. 29 esty's Customs and for the Limitation of Officers ffees and the Sup-  
 plementary Act thereto.

Which his Excellency passed into a Law in the usual Manner—

M.<sup>r</sup> Speaker (with the Members of this House) returned.

M.<sup>r</sup> Speaker resumed the Chair.

John Beale Bordley Esquire from the Upper House delivers to M.<sup>r</sup> Speaker the Petition of Lawrence Wilson with an Account thereto annexed, thus indorsed “By the Upper House of Assembly September 29.<sup>th</sup> 1770 Read and referred to the Consideration of the Lower House of Assembly

Signed by Order U Scott Cl. Up. Ho.”

Which Petition and Account were read here and referred to the Committee of Accounts—

The Order of the Day being read, Resolved, That this House will, on Monday Morning, at the Meeting of the House, resolve itself into a Committee of the whole House to take into Consideration the Regulation of Officers ffees

M.<sup>r</sup> W. Thomas hath Leave of Absence

William Fitzhugh Esquire from the Upper House delivers to M.<sup>r</sup> Speaker the Petition of John Heard of Saint Mary's County praying an Act may pass to impower him to sell and dispose of the real Estate of Richard Heard in Order to discharge the Debts of the said Richard Heard thus indorsed “By the Upper House of Assembly September 29.<sup>th</sup> 1770 Read and referred to the Consideration of the Lower House of Assembly—

Signed by Order U Scott Cl. Up. Ho.”

Which was read and ordered to lie on the Table

The House adjourns till Monday Morning Eight O'Clock

Oct. 1

Monday 1.<sup>st</sup> October 1770

p. 73

The House met according to Adjournment—

The Members were called and all appeared as on Saturday except M.<sup>r</sup> W. Thomas M.<sup>r</sup> Contee and M.<sup>r</sup> Jacob.

The Proceedings of Saturday were read

Upon a second reading the Petition of John Heard, Ordered That M.<sup>r</sup> J. Hall, M.<sup>r</sup> Eden and M.<sup>r</sup> Key be a Committee to enquire into the Truth of the Facts set forth in the said Petition and report the same to the House.

M.<sup>r</sup> Hollyday hath Leave of Absence

The Order of the Day being read, the House resolved itself into a Committee of the whole House to take into Consideration the Regulation of Officers fees

L. H. J.  
Liber No. 54  
Oct. 1

M.<sup>r</sup> Speaker resumes the Chair, and M.<sup>r</sup> Worthington Chairman of the Committee, reported from the Committee, that they had made some Progress therein; but not being able to compleat the same, prayed Leave of the House to sit again—

Resolved, That this House will, on Thursday next, resolve itself into a Committee of the whole House to take into Consideration the Regulation of Officers fees

Daniel Dulany Esquire from the Upper House delivers to M.<sup>r</sup> Speaker the Petition of the Rector, Vestrymen and other Inhabitants of Chester Parish in Kent County, praying that an Act may pass to levy on the Taxable Inhabitants of that Parish four hundred and fifty Pounds for completely finishing the Chapel of Ease in Chester Town—

The Petition of Thomas Lambden praying an Act may pass to invest him with his former Estate which he made over to Ephraim Waggaman for the Benefit of his Creditors; and the Petition of the Rector, Vestrymen, Church Wardens, and sundry the Inhabitants of Somerset Parish in Somerset County, praying an Act may pass to enable the Justices of Somerset County to levy on the Taxable Inhabitants of Somerset Parish the Quantity of thirty thousand Pounds of Tobacco for the Purpose of building Pews, Chancel and Pulpit—Severally indorsed—"By the Upper House of Assembly, October 1.<sup>st</sup> 1770 Read and referred to the Consideration of the Lower House of Assembly

Signed by Order U Scott Cl. Up. Ho."

On Motion, Ordered, That the Committee appointed for inspecting into the several publick Offices, do enquire, from the several Officers, their Deputies, Registers, or Clerks, into the Annual Amount of the fees that have accrued due to the said Officers of this Province for seven years last past, and report the same to the House.

The Petition from Somerset Parish was read a first and second Time by an especial Order and granted.

On Motion, Leave given to bring in a Bill agreeable to the Prayer of the said Petition

Ordered, that M.<sup>r</sup> Gale, M.<sup>r</sup> Dashiell and M.<sup>r</sup> Mackall to prepare and bring in the same.

The Petition of Thomas Lambden, and the Petition of the Inhabitants of Chester Parish were read and ordered to lie on the Table.

The House adjourns till To-Morrow Morning Eight O'Clock

L. H. J.  
Liber No. 54  
Oct. 2  
p. 74

Tuesday October 2:<sup>nd</sup> 1770

The House met according to Adjournment—

The Members were called and all appeared as on Yesterday except M.<sup>r</sup> Hollyday.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Contee and M.<sup>r</sup> Buchanan appeared in the House

M.<sup>r</sup> Thomas Cockey Deye, a Delegate returned for Baltimore County appeared in the House

Ordered That M.<sup>r</sup> John Paca and M.<sup>r</sup> Matthews do go with that Gentleman to the Upper House to see him qualified.

They return and acquaint M.<sup>r</sup> Speaker they saw him qualified in the usual Manner

The Gentleman took his Seat in the House

The House adjourns till To-morrow Morning Eight O'Clock

Oct. 3

Wednesday, October 3:<sup>d</sup> 1770

The House met according to Adjournment

The Members were called and all appeared as on Yesterday

The Proceedings of Yesterday were read

M.<sup>r</sup> J. Hall brings in and delivers to M.<sup>r</sup> Speaker the following Report.

By the Committee appointed to inspect the public Offices, and to enquire from the several Officers, their Deputies, Registers or Clerks into the Annual Amount of the ffees that have accrued due to the said Officers of this Province for seven Years last past

In Obedience to the Order of the Honourable House your Committee have enquired into the Amount of Fees in several of the Offices and do report as follows

Secretary's ffees in the Provincial Court

[lb Tob]	[lb Tob]	[lb Tob]
1763.... 180,496	1766.... 209,334	1768.... 255,763 $\frac{3}{4}$
1764.... 229,208	1767.... 230,929	1769.... 244,990
1765.... 212,141		

Secretary's ffees in the Chancery Court

[lb Tob]	[lb Tob]	[lb Tob]
1763.... 45,237	1766.... 34,685	1768.... 40,136
1764.... 47,917	1767.... 38,238	1769.... 42,098 $\frac{1}{2}$
1765.... 27,175		



Two of your Committee applied to the Examiner for the Amount of his fees for seven Years past, who answered in general, that he had not made any Lists of fees but what were sent to the Sheriffs Annually; and could only know the Amount by having Recourse to their Accounts and Returns, and at present was unable to do it—

L. H. J.  
Liber No. 54  
Oct. 3

Your Committee applied also to the Register of the Commissary's Office and were informed by Letter from him that he was so unwell as to be incapable of leaving his Bed; that he was ready to give all the Information in his Power; that to the best of his Remembrance the fees in 1763 and 1764 amounted to about 224,000; in 1765, and the following Years, down to 1769 to about 230,000; and in 1769, by Reason of Papers not coming timely to Hand, to charge in the preceding Year's fees, they amounted to about 280,000—Your Committee afterwards understanding M.<sup>r</sup> Vallette was better, went to his Office again, and obtained a Sight of his fee Books, many of which we found not added up, or the fees listed, and in some Years, where the Amount was cast up, the same was marked by Letters, the Solution of which your Committee not being acquainted with, could come at no Certainty. Those fee Books they could best understand, they did examine, particularly in 1768, and found the total Amount 236,699—And in 1769 the total Amount was 268,149. The Amount of fees furnished by the Clerk of the Law Office was as follows

[lb Tob]	[lb Tob]	[lb Tob]
1763....526,525	1766....332,952	1768....340,514
1764....472,592	1767....311,263½	1769....382,600½
1765....484,488		

All which is submitted to the Consideration of the Honourable House

Signed per Order Jn.<sup>o</sup> Johnson Cl. of the Commēe

Which was read and ordered to lie on the Table

The Order of the Day being read, the House referred the several Papers (communicated by his Excellency) for Consideration on Friday next

The House adjourns till To-morrow Morning Eight O'Clock

Thursday October 4.<sup>th</sup> 1770

Oct. 4

The House met according to Adjournment

The Members were called and all appeared as on Yesterday—

The Proceedings of Yesterday were read—

M.<sup>r</sup> Veazy appeared in the House

L. H. J. M.<sup>r</sup> Tyler brings in and delivers to M.<sup>r</sup> Speaker the following  
 Liber No. 54 Report  
 Oct. 4

By the Committee appointed to inspect into the State of the several publick Offices

October the 4.<sup>th</sup> 1770

Your Committee have examined into the State of the several publick Offices and find that the old Records in the Commissary's Office and Land Office remain in the same incorrect, defaced, torn Condition as has been, from Time to Time, since the Year 1765, reported to your Honourable House. And your Committee are of Opinion, that many of them, without immediate Reparation, will be entirely lost—Your Committee have found five Wills, and thirty five Accounts in the Commissary's Office, exhibited in 1759, that have never been recorded; and that all other Matters in said Offices appear to be recorded to the present Year. Your Committee also find, that the Record of the Lands, in the Secretary's Office, is brought on and examined to the present Time; as is also the Record of the Laws; but find that the Judgments in that Office are only entered up to April Term 1766 inclusive. Your Committee have annexed an additional List of Record Books in said Offices, made up since the last Report—All which is submitted to the Consideration of your Honourable House

Books in the Commissary's Office

Liber WD . . . N.<sup>o</sup> 3 containing Wills  
 WD . . . N.<sup>o</sup> 6, 7, & 8 Accounts  
 WD . . . N.<sup>o</sup> 11 & 12 Inventories

Books in the Secretary's Office

Liber RE . . . . N.<sup>o</sup> 1  
 DD . . . . N.<sup>o</sup> 5

Books in the Land Office

Liber C . . . . N.<sup>o</sup> 3 containing Certificates; transcribed by M.<sup>r</sup>  
 Duckett  
 WS . . . N.<sup>o</sup> 14 Warrants and Assignments  
 WS . . . . 15 Ditto

Signed per Order Ralph Dobinson Cl. Cor<sup>m</sup>.

W[hich was read a]nd ordered to lie on the Table

p. 76 Ordered, That the said Report have a second Reading—And it was read accordingly

Ordered, That the Subject Matter thereof be taken into Consideration on Tuesday the 9.<sup>th</sup> Instant, at the Meeting of the House

The Order of the Day being read, the House referred the Matter recommended in his Excellency's Speech (relative to the Criminal Law) for Consideration on Wednesday the 10.<sup>th</sup> Instant.

L. H. J.  
Liber No. 54  
Oct. 4

M.<sup>r</sup> Johnson hath Leave of Absence, on Account of the extreme Illness of his Brother who lives in Frederick County—

Ordered, That the Order of the Day for the House to resolve itself into a Committee of the whole House to take into Consideration the Regulation of Officers fees, be now read; and the said Order being read accordingly; the House resolved itself into the said Committee—And after some Time spent therein M.<sup>r</sup> Speaker resumed the Chair, and M.<sup>r</sup> Worthington reported from the Committee that they had made some further Progress therein and prayed that they might have Leave to sit again

Resolved, That this House will, To-morrow Morning, resolve itself into a Committee of the whole House to take into further Consideration the Regulation of Officer's fees—

The House adjourns till To-morrow Morning Eight O'Clock

Friday October 5.<sup>th</sup> 1770

Oct. 5

The House met according to Adjournment—

The Members were called and all appeared as on Yesterday except M.<sup>r</sup> Johnson—

The Proceedings of Yesterday were read

On Motion, Ordered, That M.<sup>r</sup> Ringgold, M.<sup>r</sup> Tilghman, M.<sup>r</sup> N. Thomas, M.<sup>r</sup> John Hall, and M.<sup>r</sup> W. Paca be a Committee to prepare a Message to the Upper House, requesting them to lay before this House, the Petition or Remonstrance preferred to the Upper House, last Session, highly reflecting on the Proceedings of this House in Relation to the Bill for appointing Places for holding the next Election of Delegates for Baltimore County, and that they bring in the same To-Morrow Morning at the Meeting of the House

The Order of the Day for taking into Consideration the several Papers communicated by his Excy being read, the House referred the same for Consideration on Thursday the Eleventh Instant

Ordered, That the Order of the Day for the House to resolve itself into a Committee of the whole House to take into further Consideration the Regulation of Officers fees be now read; And the said Order being read accordingly, the House resolved itself into the said Committee; and after some Time spent therein, M.<sup>r</sup> Speaker resumed the Chair; and M.<sup>r</sup> Worthington reported from the Committee that they had made some further Progress therein and prayed that they might have Leave to sit again

Resolved, That this House will, at three of the Clock this After-

L. H. J. noon resolve itself into a Committee of the whole House to take  
 Liber No. 54 into further Consideration the Regulation of Officers fees  
 Oct. 5

Ordered, That the Order of the Day for the House to resolve itself into a Committee of the whole House to take into further Consideration the Regulation of Officers fees be now read And the said Order being read accordingly, the House resolved itself into the said Committee, and after some Time spent therein, M.<sup>r</sup> Speaker resumed the Chair, and M.<sup>r</sup> Worthington reported from the Committee that the Committee had taken the Matter into Consideration; but not having Time to complete the same prayed that they might have Leave to sit again

Resolved, That this House will, To-morrow Morning, at the Sitting of the H[ouse Re]solve itself into a Committee of the whole House to take into further Consideration the Reg[ulation of O]fficers fees

The House adjourns till to-morrow Morning Eight O'Clock

Oct. 6 Saturday October 6:<sup>th</sup> 1770

p. 77 The House met according to Adjournment.

The Members were called and all appeared as on Yesterday—

The Proceedings of Yesterday were read

M.<sup>r</sup> Allen and M.<sup>r</sup> Sulivane appeared in the House

M.<sup>r</sup> Joseph Dashiell hath Leave of Absence on Account of the extreme Illness of his Wife

M.<sup>r</sup> Gresham, M.<sup>r</sup> Eden, and M.<sup>r</sup> Dickinson have Leave of Absence—

M.<sup>r</sup> Gantt hath Leave of Absence till Monday next

M.<sup>r</sup> Tilghman (according to the Order of Yesterday) brings in and delivers to M.<sup>r</sup> Speaker a Message to the Upper House, which was read the first and second Time, approved and ordered to be ingrossed.

M.<sup>r</sup> Ringgold brings in and delivers to M.<sup>r</sup> Speaker the following ingrossed Message

By the Lower House of Assembly October the 6:<sup>th</sup> 1770  
 May it please your Honours

It was intimated to us at the last Session, that a Petition or Remonstrance was then preferred to your Honours by some of the principal Inhabitants in and about Baltimore Town, expressed in Terms highly reflecting upon the Proceedings of this House in passing a Bill entitled “An Act for appointing Places for holding the next Election of Delegates for Baltimore County.” This Matter did not pass unnoticed; but the severe Season of the Year obliged us to



postpone every Thing not absolutely necessary to be done, and therefore it was referred to this Session; and we now desire your Honours will be pleased to order to be laid before us the said Petition or Remonstrance, that we may proceed to take such Measures as we may judge necessary for the Support of the Rights and Privileges of this House

L. H. J.  
Liber No. 54  
Oct. 6

Signed by Order Jn.<sup>o</sup> Duckett Cl. Lo. Ho.

Which was read and assented to and sent to the Upper House by M.<sup>r</sup> John Hall & M.<sup>r</sup> Tilghman

They return and acquaint M.<sup>r</sup> Speaker they delivered the Message

Ordered, That the Order of the Day for the House to resolve itself into a Committee of the whole House to take into further Consideration the Regulation of Officers fees be now read—And the said Order being read accordingly, the House resolved itself into the said Committee, and after some Time spent therein, M.<sup>r</sup> Speaker resumed the Chair, and M.<sup>r</sup> Worthington reported from the Committee That they had made some further Progress therein and prayed that they might have Leave to sit again

Resolved, That this House will, at the Meeting of the House, on Monday Morning next, resolve itself into a Committee of the whole House to take into further Consideration the Regulation of Officers fees

John Ridout Esquire from the Upper House delivers to M.<sup>r</sup> Speaker the Petition of Bartholomew Pomeroy, of the City of London, Merchant, Survivor of William Torver and Joseph Jansen, late of London, Merchant, deceased, praying an Act of Assembly may pass to remedy the Defect in his Title to a Tract of Land called Rencher's Adventure thus indorsed "By the Upper House of Assembly 6.<sup>th</sup> of October 1770 Read and referred to the Consideration of the Lower House of Assembly—

Signed by Order U Scott Cl. Up. Ho."

William Hayward Esquire from the Upper House delivers to M.<sup>r</sup> Speaker the following Message.

By the Upper House of Assembly 6.<sup>th</sup> of October 1770  
Gentlemen,

On the Receipt of your Message of this Day we returned to our Journals, . . . [*The message beginning thus is printed in full in the Upper House Journal, p. 178*]

Which was read and ordered to lie on the Table

The House adjourns till To-morrow Morning Eight O'Clock

L. H. J.  
Liber No. 54  
Oct. 8

Monday 8:<sup>th</sup> October 1770

The House met according to Adjournment—

The Members were called and all appeared as on Saturday except M.<sup>r</sup> Dashiell, M.<sup>r</sup> Gresham, M.<sup>r</sup> Eden, M.<sup>r</sup> Dickinson, M.<sup>r</sup> Gantt and M.<sup>r</sup> Key—

The Proceedings of Saturday were read

M.<sup>r</sup> Beall and M.<sup>r</sup> Smallwood are added to the Committee appointed to examine into the ffacts set forth in the Petition of John Heard of Saint Mary's County

On Motion, Leave given to bring in a Bill for the Tryal of all Matters of fact in the several Counties where they have arisen or shall arise

Ordered, That M.<sup>r</sup> Ringgold, M.<sup>r</sup> Tilghman, M.<sup>r</sup> N. Thomas, M.<sup>r</sup> Goldsborough and M.<sup>r</sup> Allen do prepare and bring in the same

M.<sup>r</sup> Allen added to the Committee appointed to bring in the Bill for amending the Staple of Tobacco for preventing ffrauds in his Majesty's Customs & for the Regulation of Officers ffees

The Petition of Bartholomew Pomeroy, brought in by John Ridout Esq, on Saturday last, was read and ordered to lie on the Table

Ordered, That the Order of the Day for the House to resolve itself into a Committee of the whole House, to take into further Consideration the Regulation of Officers ffees be now read. And the said Order being read accordingly, the House resolved itself into the said Committee; and after some Time spent therein, M.<sup>r</sup> Speaker resumed the Chair, and M.<sup>r</sup> Worthington reported from the Committee that they had made some further Progress therein, and prayed that they might have Leave to sit again—Resolved, That this House will, at the Meeting of the House, To-morrow Morning, resolve itself into a Committee of the whole House, to take into further Consideration the Regulation of Officers ffees

Ordered, That the Petition of Bartholomew Pomeroy be again read, & the same being read accordingly,

Ordered, That M.<sup>r</sup> W. Paca, M.<sup>r</sup> Chase, M.<sup>r</sup> Mackall, M.<sup>r</sup> Beall, M.<sup>r</sup> Tyler, and M.<sup>r</sup> Contee be a Committee to enquire into the Truth of the ffacts set forth in the said Petition & report the same to the House

The House adjourns till To-Morrow Morning Eight O'Clock

Oct. 9

Tuesday 9:<sup>th</sup> October 1770

p. 79

The House met according to Adjournment

The Members were called and all appeared as on Yesterday

The Proceedings of Yesterday were read

M.<sup>r</sup> Smallwood brings in and delivers to M.<sup>r</sup> Speaker the following Report

L. H. J.  
Liber No. 54  
Oct. 9

By the Committee appointed to examine into the Truth of the ffacts alledged in the Petition of John Heard of Saint Mary's County

Your Committee in Obedience to the Order of the House proceeded to enquire into the several ffacts stated in the Petition of John Heard of Saint Mary's County do find that all the material ffacts stated are true, that is to say, That the said Richard Heard in the Petition mentioned died indebted to the several Persons therein particularized as alledged, to wit,

	St. <sup>g</sup>	
To Daniel Dulany Esq <sup>d</sup> in the principal Sum of.....	} 250.. 0.. 0	
And Interest thereon from the 22. <sup>d</sup> Day of July 1767		
To Benjamin Tasker Esq <sup>d</sup> in the principal Sum of....	} 350.. 0.. 0	
And Interest thereon from the 21. <sup>st</sup> of ffebruary 1767		
	<hr/>	
	600.. 0.. 0	
	<hr/>	
	Crop Tob. <sup>o</sup>	
To John Glassford and Com- pany in the principal Sum of .....	} 66,092	
And interest thereon		
To Hugh Hopewell in the prin- cipal Sum of.....	} 22,483 D. <sup>o</sup>	
And Interest thereon from the 26. <sup>th</sup> August 1765		
	<hr/>	
	88,575 D. <sup>o</sup>	

And to divers other Persons on open Account in considerable Sums. That the Petitioner was Security for the said Richard Heard to the said Daniel Dulany, Benjamin Tasker and John Glassford and Company as set forth—That the said Richard Heard died on or about the 10.<sup>th</sup> of March 1768—That the said Petitioner and Barbara Heard administred on his Estate

L. H. J. Liber No. 54 Oct. 9	That the Inventory of his Es- tate amounted to . . . . . } Sperate Debts to . . . . .	Curry	
		618.. 6..0	
		4,044	85.. 9..5½
	Desperate Debts to Tob. <sup>o</sup> Curry		
	13,244½ & £364..9..9		
	That the said Petitioner hath received thereof . . . . . }	[£]18..12..10½	3,566 62..12..9¼
		<u>£18..12..10½</u>	<u>7,610 766.. 8..2½</u>

That Judgments have been obtained against the Petitioner, as Security aforesaid for the Debts of the said Daniel Dulany, Benjamin Tasker, and John Glassford and Company; and against the Petitioner and Barbara Heard as Admrs aforesaid by the said Daniel Dulany, Benjamin Tasker's Exx and Hugh Hopewell—That the said Petitioner hath paid to the said Daniel Dulany Esq in Discharge of his Claim aforesaid £293..6..3 St.<sup>s</sup>, and Costs of Suit; and to the ffactor of the said John Glassford and Company 361..13..7 St.<sup>s</sup> in Discharge of their Tobacco Claim afd, out of his own proper Estate; and has sold his Land and Negroes for that Purpose, as we are informed and believe to be true. That the whole personal Estate afs<sup>d</sup> will not cover the Debts aforesaid of the said Daniel Dulany and Benjamin Tasker; and that the Debts due to the said Benjamin Tasker's Executrix and Hugh Hopewell and the simple Contract Claims aforesaid still remain unpaid—That the said Richard Heard died seized and possessed of the several Lands set forth—That James Heard the Heir at Law of the said Richard Heard is an Infant about the Age of seven Years, as we are informed and believe to be true That a Paper hath been produced to Us purporting a Desire of the said Richard Heard, that so much of his Estate should be sold at publick Sale as would be sufficient to pay all his just Debts; but no Evidence hath been offered to establish the same—

Signed per Order R. Dobinson Cl

p. 80 Which was read a first and second Time, and the Petition was granted—Leave given to the Petitioner to bring in a Bill agreeable to the Prayer of the Petition

M.<sup>r</sup> Gresham appeared in the House

Ordered, That the Order of the Day for the House to resolve itself into a Committee of the whole House to take into further Consideration the Regulation of Officers fees be now read, and the said Order being read accordingly, the House resolved itself into the said Committee; and after some Time spent therein, M.<sup>r</sup> Speaker resumed the Chair, and M.<sup>r</sup> Worthington reported from the Com-



mittee; that they had made some further Progress therein, and prayed that they might have Leave to sit again

L. H. J.  
Liber No. 54  
Oct. 9

Resolved, That this House will, To-morrow Morning, at the Meeting of the House, resolve itself into a Committee of the whole House to take into further Consideration the Regulation of Officers fees

George Steuart Esquire from the Upper House delivers to M.<sup>r</sup> Speaker the following Petitions Viz.<sup>t</sup> The Petition of the subscribing Inhabitants of Baltimore County, which was referred by the Upper House last Session, for Consideration this Session of Assembly, praying that a Bill might pass similar to the Act past the then last Session of Assembly for the Relief of the Poor in that County: Also praying that a Sum of Money, not less than three thousand Pounds Current Money might be appropriated for the Purpose of building and erecting an Alms and Work-House in the said County: And also praying that the said Sum might be paid and advanced by the Commissioners, out of the Monies to be emitted by the Bill then under Consideration—And also that the said Money might be repaid to the Public by the County—Thus indorsed “December 12.<sup>th</sup> 1769 Read and referred to the next Session of Assembly

U Scott Cl. Up. Ho.”

And thus “By the Upper House of Assembly October 9.<sup>th</sup> 1770 Read and referred to the Consideration of the next Session of Assembly.

Signed by Order U Scott Cl. Up. Ho.”

A Petition of Thomas Hamilton of Prince George's County, setting forth, that he has no Outlett from his Dwelling House to any publick Road; and praying an Act may pass impowering some reputable Persons in the Neighbourhood to open proper Passages from his Dwelling House to the Public Way:—And a Petition of sundry the Inhabitants of the Parish of Stepney, partly in Somerset, and partly in Worcester County, praying an Act may pass to enable the Vestry of the said Parish to build a House that may be sufficient to receive, with Conveniency, the People who reside in the Upper End of the Parish—As also to purchase a Piece of Ground somewhere at or near Broad Creek Bridge for the Building aforesaid; and that the Sum of Eighty thousand Pounds of Tobacco be levied on the Inhabitants aforesaid to be paid by them at two equal Assessments for the Purpose aforesaid—Severally indorsed—“By the Upper House of Assembly October 9.<sup>th</sup> 1770 Read and referred to the Consideration of the Lower House of Assembly

Signed by Order U Scott Cl. Up. Ho.”

The Order of the Day for taking into Consideration the Subject Matter of the Report from the Committee appointed to inspect

L. H. J. into the State and Condition of the several publick Offices being  
Liber No. 54 read; Ordered, That the same be taken into Consideration on Tues-  
Oct. 9 day the 16.<sup>th</sup> Inst.

The House adjourns till To Morrow Morning Eight O'Clock

Oct. 10 Wednesday the 10.<sup>th</sup> October 1770

p. 81 The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read

The Petition of Thomas Hamilton, and the Petition of Stepney Parish severally read the first Time and ordered to lie on the Table.

M.<sup>r</sup> Key & M.<sup>r</sup> Gantt appeared in the House

M.<sup>r</sup> Ringgold brings in and delivers to M.<sup>r</sup> Speaker a Petition of John Clayton, praying that an Act may pass to give him the exclusive Right of making a Machine for threshing Wheat which was read a first and second Time.

Ordered, That the said Petition be referred to the Consideration of a Committee, and that they do examine the Matter thereof, and report the same, as it shall appear to them to the House:

And M.<sup>r</sup> Ringgold, M.<sup>r</sup> N. Thomas, M.<sup>r</sup> Purnell, M.<sup>r</sup> Gilpin, M.<sup>r</sup> Noel, M.<sup>r</sup> Luckett, M.<sup>r</sup> Worthington, M.<sup>r</sup> J. Paca, M.<sup>r</sup> Gale, M.<sup>r</sup> Ware, M.<sup>r</sup> Wright, M.<sup>r</sup> Key, M.<sup>r</sup> J. Hall, M.<sup>r</sup> Tyler, and M.<sup>r</sup> Parran are appointed the said Committee—

Ordered, That the Order of the Day for the House to resolve itself into a Committee of the whole House to take into further Consideration the Regulation of Officers fees be now read and the said Order being read accordingly, the House resolved itself into the said Committee and after some Time spent therein M.<sup>r</sup> Speaker resumed the Chair, and M.<sup>r</sup> Worthington reported from the Committee, That they had made some further Progress therein, and prayed that they might have Leave to sit again

Resolved, That this House will, at the Meeting of the House, on Saturday Morning next, resolve itself into a Committee of the whole House to take into further Consideration the Regulation of Officers fees.

M.<sup>r</sup> Grahame hath Leave of Absence

The Order of the Day for taking into Consideration the Matter recommended in his Excellency's Speech (relative to the Criminal Law) being read the same is referred for Consideration on Friday the 19.<sup>th</sup> Instant.

William Hayward Esq from the Upper House delivers to M.<sup>r</sup> Speaker the following Petitions

A Petition of Thomas Harrison of Baltimore Town praying that a further Time may be granted him for removing the Nuisance formerly complained of in the said Town

L. H. J.  
Liber No. 54  
Oct. 10

A Petition of sundry the Inhabitants of Frederick County praying that the publick Roads in that County may be widened

A Petition of Samuel Wade Magruder, and George Beall, junior, Inspectors at Rock Creek Warehouse praying for an Augmentation of their Salaries

And a Petition of Sundry the Inhabitants of Baltimore County praying for a new Road in that County—Severally indorsed “By the Upper House of Assembly October 10:<sup>th</sup> 1770 Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order U Scott Cl. Up. Ho.”

Which Petitions were read here and ordered to lie on the Table

Resolved, That this House will, To Morrow Morning, take into Consideration any Amendments that may be proposed to the Inspection Law

M.<sup>r</sup> Buchanan delivers to M.<sup>r</sup> Speaker a Petition of Isaac Perkins, setting forth, That he hath been for some Time past engaged in constructing a Machine for the more speedy and effectual Method of threshing and cleaning Wheat; and praying that this House will delay giving a final Determination upon the Petition of John Clayton. Which was read the first Time and ordered to lie on the Table.

p. 82

M.<sup>r</sup> Wright and M.<sup>r</sup> Buchanan are added to the Committee of Grievances and Courts of Justice

Walter Dulany Esq from the Upper House delivers to M.<sup>r</sup> Speaker sundry Petitions of languishing Prisoners in the several County Jails in this Province, with a List of the same, thus indorsed. “By the Upper House of Assembly October 10:<sup>th</sup> 1770 Read the Petitions of which this is a List and referred them to the Consideration of the Lower House of Assembly

Signed by Order U Scott Cl. Up. Ho.”

Benedict Calvert Esq from the Upper House delivers to M.<sup>r</sup> Speaker a Petition of the Rector, Vestrymen and Church-Wardens of Saint Paul’s Parish lying partly in Queen Ann’s County, and partly in Talbot County praying that an Act may pass to empower the justices of Queen Anne’s and Talbot County Courts, to assess at the three next November Courts on the Taxable Inhabitants of the said Parish several Sums of Tobacco for the Purposes mentioned in the said Petition, thus indorsed “By the Upper House of Assembly October 10:<sup>th</sup> 1770 Read and referred to the Consideration of the Lower House of Assembly

Signed by Order U Scott Cl. Up. Ho.”

L. H. J. Which was read here a first and second Time and granted. And  
 Liber No. 54 Leave given to bring in a Bill according to the Prayer of the Petition  
 Oct. 10

Ordered, That M.<sup>r</sup> Goldsborough, M.<sup>r</sup> Tilghman, M.<sup>r</sup> Nicholas Thomas and M.<sup>r</sup> Wright do prepare and bring in the same

M.<sup>r</sup> Beall brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled An Act directing the Sale of the Lands of Richard Heard, late of Saint Mary's County, deceased, for the Payment of the Debts of the said Richard Heard. Which was read the first Time and ordered to lie on the Table

The House adjourns till To morrow Morning Eight O'Clock

Oct. 11

Thursday October 11:<sup>th</sup> 1770

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday except M.<sup>r</sup> Grahame. Also M.<sup>r</sup> Bordley who is sick.

The Proceedings of Yesterday were read

The Prisoners Petitions were read the first Time and ordered to lie on the Table

John Ridout Esq from the Upper House delivers to M.<sup>r</sup> Speaker the following Petitions Viz.<sup>t</sup> A Petition of the Vestry of Saint Johns Parish in Baltimore County praying a Division of the said Parish: And the Petition of sundry the Inhabitants of Dorchester County praying an Act may pass to impower the Justices of that County to levy on the Taxable Inhabitants thereof a Quantity of Tobacco for building a new Court House—Severally indorsed "By the Upper House of Assembly October 11.<sup>th</sup> 1770 Read and referred to the Consideration of the Lower House of Assembly

Signed by Order U Scott Cl. Up. Ho."

Which Petitions were read here the first Time and ordered to lie on the Table

M.<sup>r</sup> Gale brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled An Act to enable the Justices of Somerset County to levy on the Taxable Inhabitants of Somerset Parish in the said County a Quantity of Tobacco for the Purposes therein mentioned—Which was read the first Time and ordered to lie on the Table.

p. 83 On Motion, Leave given to bring in a Bill for abolishing June County Courts and for other Purposes therein mentioned.

Ordered, That M.<sup>r</sup> Chase, M.<sup>r</sup> Allen, M.<sup>r</sup> Ringgold, M.<sup>r</sup> J. Hall and M.<sup>r</sup> W. Paca do prepare and bring in the same

The Bill entitled, An Act directing the Sale of the Lands of Richard Heard, late of Saint Mary's County deceased, for the Payment of the Debts of the said Richard Heard, was read a second



Time and will pass; And was sent to the Upper House by M.<sup>r</sup> Key and M.<sup>r</sup> Harrison. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

L. H. J.  
Liber No. 54  
Oct. 11

M.<sup>r</sup> Aquila Hall being indisposed hath Leave of the House to go Home

The Petition of sundry the Inhabitants of Baltimore County praying a Sum of Money might be granted for building an Alms House read the first Time and ordered to lie on the Table

The Petition of the Rector, Vestrymen &<sup>ts</sup> of Saint John's Parish in Baltimore County was read a second Time—Leave given to bring in a Bill according to the Prayer of the Petition

Ordered, That M.<sup>r</sup> J. Paca, M.<sup>r</sup> Matthews, M.<sup>r</sup> Deye and M.<sup>r</sup> W. Paca do prepare & bring in the same.

On Motion, The Petition of the Inhabitants of Frederick County praying new Roads to be laid out and cleared, and the present Road to be widened; The Petition of the Inhabitants of Baltimore County praying for a Road; and the Petition of Doctor Thomas Hamilton, praying a Road to be cut, are referred to the Consideration of the next Session of Assembly.

The Order of the Day for the House to take into Consideration any Amendments that may be proposed to the Inspection Law being read; the same is referred for Consideration To Morrow Morning at the Sitting of the House

The Order of the Day for taking into Consideration the several Papers communicated by his Excellency being read; the House referred the same for Consideration on Friday the 19:<sup>th</sup> Instant.

M.<sup>r</sup> Allen brings in and delivers to M.<sup>r</sup> Speaker a Bill Entitled, An Act for abolishing June County Courts and for other Purposes therein mentioned—Which was read the first Time and ordered to lie on the Table

The House adjourns till To-Morrow Morning Eight O'Clock

Friday October 12:<sup>th</sup> 1770

Oct. 12

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday except M.<sup>r</sup> Aquila Hall, and M.<sup>r</sup> Noel. The last named Gentleman being sick, hath Leave of Absence

The Proceedings of Yesterday were read.

M.<sup>r</sup> Wright hath Leave of Absence

M.<sup>r</sup> Goldsborough from the Committee of Accounts brings in the Governor's Account, on which is indorsed "That Governor Eden has not as yet received any Allowance for House Rent, nor does he know from what Time to charge it, or what the Assembly will please

L. H. J.  
Liber No. 54  
Oct. 12

to allow him for the Rent of his House which with Purchase and Additions to it, stands him in above two thousand Pounds Sterling” and prays the Direction of the House. The said Indorsement was twice read. Whereupon it is Resolved, That the Time of Commencement of Rent be from the Time to which Governor Sharpe was allowed Resolved, That the Rent to be allowed for the Governor’s House shall not be increased, but remain at £80 p Year—And

p. 84 Resolved unanimously, That the said Allowance be placed in the Journal of Accounts as usual

M.<sup>r</sup> Goldsborough moves for the Direction of the House whether there shall be any Allowance made to the Governor for Seals to Proclamations of Acts of Parliament?

Resolved unanimously, That this House will not make any Allowance for the Seals to Proclamations of Acts of Parliament

M.<sup>r</sup> Goldsborough also brings in the Account of M.<sup>r</sup> John Duckett for transcribing Liber C N.<sup>o</sup> 3. a Record Book in the Land Office agreeable to Order of the Lower House of Assembly in November Sessions 1766—Which was read

On Motion, Leave given to bring in a Bill to hold the Election of Representatives for Baltimore County at the Places therein mentioned

Ordered, That M.<sup>r</sup> W. Paca, M.<sup>r</sup> Chase, M.<sup>r</sup> J. Paca, and M.<sup>r</sup> Matthews do prepare and bring in the same

M.<sup>r</sup> Mackall brings in and delivers to M.<sup>r</sup> Speaker the following Report

By the Committee appointed to inspect the publick Offices and to enquire from the several Officers, their Deputies, Registers, or Clerks into the Annual Amount of the Fees that have accrued due to the said Officers of this Province for seven Years last past

Since the giving in our former Report relative to the Examiner General, and the other Officers, your Committee have received, from the Clerk of the Council, and Examiner General, an Estimate of the Amount of his fees in both those Departments, for the Years 1767, 1768 and 1769, which are as followeth Viz.<sup>t</sup>

Clerk of the Council

[1b Tob]

1767.....	7,281
1768.....	8,603
1769.....	7,744½

Examiner General

1767.....	52,182
1768.....	60,816
1769.....	63,109

All which is submitted to the Consideration of the Honourable House

L. H. J.  
Liber No. 54  
Oct. 12

Signed p.<sup>r</sup> Order Jn.<sup>o</sup> Johnson Cl. Commēe

The Petition of the Inhabitants of Ann Arundel and Frederick Counties, praying that the Time for closing the Inspection may be lengthned, was read a second Time and granted.

The Petition of the Inspectors at Rock Creek Ware-House was read a second Time

Ordered, That it be an Instruction to the Committee appointed to bring in the Bill for amending the Staple of Tobacco &<sup>ta</sup> that a Clause be inserted for lengthning the Time of closing the Inspection to the 20:<sup>th</sup> Day of August—And also that it be an Instruction to the said Committee to insert a Clause that Lawyers fees be paid in the same Manner as Officers fees

On Motion, the Question was put, That thirty Pounds of Tobacco per Tax may be paid to the Clergy, if actually paid in Tobacco, on or before the tenth Day of June Yearly, at the Election of the Payer; but if not paid in Tobacco that they shall be paid at thirty two Pounds of Tobacco per Tax in the species of Gold and Silver, at the Rates and Regulations made by the Act entitled an Act for amending the Staple of Tobacco &<sup>ta</sup>? p. 85

Resolved in the Negative

For the Negative

Mess. <sup>rs</sup>	Key	Courts	Allen
	Buchanan	J. Hall	Luckett
	Worthington	W. Paca	Wootton
	Mackall	Beall	Heugh
	Parran	Tyler	N. Thomas
	Smallwood	J. Paca	Gilpin
	Ware	Matthews	Veazey
	Harrison	Deye	

[23]

For the Affirmative

Mess. <sup>rs</sup>	Ringgold	Gantt	Tilghman
	Gresham	Gale	Steele
	Chase	Contee	Ward
	Griffith	Goldsborough	

[11]

The Bill entitled an Act for abolishing June County Courts and for other Purposes therein mentioned Read the second Time and will pass

M.<sup>r</sup> Hooper hath Leave of Absence till Thursday next

M.<sup>r</sup> Ringgold brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled

L. H. J. an Act for the Tryal of all Matters of Fact in the several Counties  
 Liber No. 54 where they have arisen or shall arise—Which was read the first Time  
 Oct. 12 and ordered to lie on the Table

M.<sup>r</sup> Ringgold also brings in and delivers to M.<sup>r</sup> Speaker the following Report

By the Committee appointed to view the Model of a Machine to thresh Wheat, offered by John Clayton.

Your Committee in Obedience to the Order of the House have viewed the said Model and are of Opinion that a Machine constructed thereon will be very useful to the Province and answer the Purposes set forth in said Clayton's Petition—

Signed p Order Jn.<sup>o</sup> Johnson Cl. Com.

The House adjourns till To-Morrow Morning Eight O'Clock

Oct. 13

Saturday October 13:<sup>th</sup> 1770

The House met according to Adjournment—

The Members were called and all appeared as on Yesterday except M.<sup>r</sup> Noel, M.<sup>r</sup> Wright and M.<sup>r</sup> Hooper—

The Proceedings of Yesterday were read

M.<sup>r</sup> Goldsborough from the Committee of Accounts brings in and delivers to M.<sup>r</sup> Speaker the Journal of Accounts. Which was read and assented to—Sent to the Upper House by M.<sup>r</sup> Goldsborough and M.<sup>r</sup> Gilpin. They return and acquaint M.<sup>r</sup> Speaker they delivered the Same

The Bill entitled An Act to enable the Justices of Somerset County to levy on the Taxable Inhabitants of Somerset Parish in the said County a Quantity of Tobacco for the Purposes therein mentioned, read the second Time and will pass—Sent to the Upper House by M.<sup>r</sup> Gale and M.<sup>r</sup> Selby—They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

Ordered, That the Order of the Day for taking into Consideration the Regulation of Officers fees be now read, and the said Order being read accordingly the House resolved itself into the said Committee; and after some Time spent therein M.<sup>r</sup> Speaker resumed the Chair, and M.<sup>r</sup> Worthington reported from the Committee that they had come to several Resolutions which they had directed him to report to the House, which he read in his Place and afterwards delivered in at the Table, where the same were read, and are as followeth Viz.<sup>t</sup>

Resolved unanimously That all Officers fees shall be regulated in Tobacco, subject to be discharged either in Tobacco or in Gold and Silver at the following Rates, Regulations and Values viz.<sup>t</sup>



	[lb Tob]	L. H. J. Liber No. 54 Oct. 13
Johannes weighing 18 Dwt at least.....	960	
Half Johannes weighing 9 Dwt at least.....	480	
Moidores weighing 6 Dwt 18 Grains at least @.....	360	
English Guineas weighing 5 Dwt 6 Grains at least @.....	280	
French Guineas weighing 5 Dwt. 5 Grs at Least @.....	276	
Spanish Pistoles not lighter than 4 Dwt 6 Grs @.....	220	
French Milled Pistoles weighing 4 Dwt 4 Grs @.....	216	
Arabian Chequins weighing 2 Dwt 3 Grs @.....	110	
Other Gold (German excepted) by the Dwt.....	51 $\frac{1}{3}$	
English Milled Crowns @.....	66 $\frac{2}{3}$	
Other English Milled Silver Coin at same Rate.....		
French Silver Milled Crowns @.....	60	
Spanish Milled Pieces of Eight @.....	60	
Other good Coined Spanish Silver per Ounce.....	68	

Resolved, That if any Person chargeable with the said Fees shall chuse to pay the same in Tobacco, such Payment shall be made on or before the tenth Day of June Yearly and not afterwards

Resolved, That no fee shall be charged or taken by the Commissary General for any Services done by the Deputy Commissaries

Resolved, That the fees to be allowed to the several Officers in this Province shall be as followeth, to wit.

TO THE CHANCELLOR OR KEEPER OF THE GREAT SEAL

	[lb Tob]	
For the Seal of an original Writ.....	4	
The Seal of a Recordari.....	9	
The Seal of a Subpœna ad respondendum with 3 Names or under .....	12	
The Seal to a Proclamation of Rebellion.....	270	
The Seal of a Commission of Rebellion.....	270	
The Seal of a Grant or Patent of Land for 500 Acres or under .....	90	
The Seal of every Patent or Grant for any Quantity above 500 Acres for every hundred acres.....	9	
Seal of a Decree in Chancery if required.....	320	
Seal of an Injunction in Chancery.....	180	
Seal of an audita querela.....	90	
Seal to Execution of a Decree in Chancery.....	120	
Seal of a Writ of Covenant for passing ffine.....	12	
Seal of a Commission to take Acknowledgment.....	90	
The Chancellor's Hand to a Writ of Assize.....	180	
The Seal to a Writ of Error to the Governor and Council as a Court of Appeals.....	180	
Seal to a Scire ffacias thereupon.....	180	
Seal to a Supersedeas thereupon.....	180	

L. H. J.			[fb Tob]
Liber No. 54	Seal to a Certiorari.....		180
Oct. 13	The Seal to an Exemplification of Land the same with the Patent or Grant.....	}	
	The Chancellor's Hand to a Writ of Covenant.....		180
	A Seal to a Mandamus.....		90
	A Seal to a Melius inquirendum.....		90
p. 87	The Seal to a Commission of a County or Provincial Court with a Dedimus Potestatem to swear the Justices.....	}	500
	Seal of a Supersedeas to a Commission of Rebellion or Supplicavit .....		180
	The Seal of a Sheriff's Patent for his Office.....		360
	Seal of a Posse Comitatus.....		90
	Seal of a Writ of Discharge if any.....		90
	Seal of a Patent of Denization.....		320
	Seal of a Ne exeat Provinciam.....		90
	Seal of a Writ of Error from any County Court.....		90
	Seal of a Scire facias thereupon.....		90
	Seal of a Supersedeas thereupon.....		90
	Seal of every other Matter or Thing that shall pass the great Seal, and not herein contained, each.....	}	90

SECRETARY'S FEES

SECRETARY'S FEES		[fb Tob]
A Recordari and Return.....✓.....		6
A Subpœna ad respondendum with not more than three Names and Return.....	}	12
Every Name more than three.....		2
An Attachment of Contempt and Return.....		8
A Proclamation of Rebellion and Return.....		64
A Commission of Rebellion and Return.....		64
An Injunction and Return.....		38
A Writ of Sequestration and Return per Side.....		7
An Audita Querela and Return.....		87
Filing every Bill in Chancery.....		19
Every Court the same shall continue to be charged to the Complainant only .....	}	19
Filing every Answer in Chancery.....		17
Every Oath to the same if taken in Court.....		5
Recording every Return of Commission and Depositions per Side .....	}	7
A Writ of Ad quod Damnum and Return p. <sup>r</sup> Side.....		7
Every Motion in Court, and Order thereon.....		12
A Ne exeat Provinciam and Return.....		64
A Writ of Enquiry of Damages and Return per Side and so pro rato .....	}	7
For entring an Appeal.....		7

	[fb Tob]	L. H. J. Liber No. 54 Oct. 13
A Commission to take Acknowledgment & Ret.....	64	
A Writ of Covenant to pass a fine and Return.....	8	
A Writ of Assize and Return.....	51	
A Writ of Melius inquirendum or Monstraverunt and Return	64	
Drawing any Matter or Thing not herein mentioned that passeth the Seal if it exceeds One Side computing seven Words to a Line and fifteen Lines to a Side and so pro rato	7	
For recording the same per Side as before.....	7	
Any Warrant or License against or to more than One, not under Seal, each.....	7	
Any Warrant or License against, or to one Person only not under the Seal.....	7	
Any other Pass or Discharge not under the Seal.....	7	
Search of a Record the first Year nothing.....		
For all Searches above one Year if the Matter searched for be found and no Copy thereof taken if Copy taken no Charge for the Search.....	15	
Writing a Sheriff's Commission, Bond recording it.....	153	
For filing every special Plea if not recorded.....	4	
For filing every Replication if not recorded.....	4	
For filing Rejoinder, Surrejoinder, if not recorded.....	4	
And every other Pleading to making up the Issue for each if not recorded .....	4	
For filing Demurrer and Joinder in Demurrer each if not recorded .....	4	
For filing every Account if not recorded.....	4	
For filing Plats on Warrant of Survey out of Provincial Court and Depositions if not recorded.....	4	
Filing every Plea in Chancery if not recorded.....	4	
Filing every Demurrer in Chancery if not recorded.....	4	
Filing Accounts, Books of Accounts, Bonds, Deeds, or other Papers or writings referred to and made Part of any Bill in Chancery, Plea, Answer, or other Pleading or Process thereupon, if not recorded, for each.....	4	
Filing every Return of Commission and Depositions if not recorded .....	4	
Filing every Deposition taken in Court of Chancery and with- out Commission if not recorded.....	4	
Filing every Petition in Chancery and Order thereon if not recorded .....	4	
Filing every Bond with or without Surety if not recorded...	4	p. 88
Writ of Posse comitatus and Return.....	76	
A Writ of Discharge if any and Return.....	76	
Writing and recording a Commission and Dedimus Potesta- tem for every County Court.....	211	

		[th Tob]
L. H. J.	Issuing and filing every common Writ and Return.....	12
Liber No. 54	Every Subpoena with not more than three Names and Return	12
Oct. 13	Every Name more than three.....	2
	Every Person living in the same County to be included in one } Subpoena if applied for at the same Time.....	
	Filing every Declaration if not recorded.....	4
	Every Appearance entered of either Party in the Provincial } Court .....	5
	Entry of Defendant's Impar lance.....	4
	A Continuance or Reference to be charged to the Plaintiff } only .....	4
	Making up the Issue or Issues in every Suit when done by } the Clerk .....	20
	Rule to plead or for Tryal if ordered by the Court.....	4
	A Venire facias for Jurors if issued by Order of the Court..	16
	A Copy of the Panel.....	4
	Entring Panel .....	4
	Entring every Verdict.....	4
	Entring and signing Judgment.....	25
	A Copy of the Judgment if expressly demanded.....	16
	A Transcript of the whole Proceedings per Side as before..	7
	Taxing and filing a Bill of Cost.....	7
	A Copy thereof if demanded with the Articles at large.....	7
	Issuing every Execution and filing the same & Return without } any Charge for Copy of Judgment.....	15
	Habere facias Possessionem and Return.....	16
	A Replevin and Return.....	12
	A Procedendo and Return.....	16
	A Writ of Restitution and Return.....	16
	Drawing Dedimus Potestatem to examine Evidences.....	32
	A Habeas Corpus and Return.....	22
	An Elegit and Return.....	22
	A warrant Survey and Return.....	32
	A Certiorari and Return.....	32
	A Commission of Audita and Return.....	32
	A Writ of Diminution and Return.....	16
	A Writ of Error to the County Court and Return.....	57
	A Scire facias thereupon and Return.....	16
	A Supersedeas thereupon and Return.....	16
	Entring an Acknowledgment of Land in Court.....	5
	Recording a Conveyance per Side as before.....	7
	Filing every Recognizance taken out of Court if not recorded	3
	Taking every Recognizance in Court with or without Sureties	4
	Appearance of the Principal to every Recogn:.....	7
	For filing or taking every Special Bail in or out of Court....	7



	[1b Tob]	L. H. J. Liber No. 54 Oct. 13
An Attachment and Scire facias and Return.....	26	
Discharging every Recognizance with or without Security..	12	
A Copy of every Recognizance.....	13	
Every Process to apprehend a Criminal issued by Order of Court and Return.....	16	
Appearance of the Person charged to every Indictment or Verdict .....	7	
Every Respite and Continuance.....	15	
Every Order in Criminal Cases.....	7	
Every Indictment per Side as before.....	7	
A Copy of every Indictment per Side.....	7	
Filing Plea to the same.....	8	
Confession to every Indictment.....	7	
Allowance for a Writ of Error.....	11	
Every Indictment after the first Name.....	10	
Rule of Tryal.....	7	
Recording the Verdict.....	4	
Entring Conviction and signing Judgment.....	25	
Every Death Warrant.....	36	
A Writ of Withernam and Return.....	25	
A Writ of Estrepment and Return.....	25	
Scire ffacias on a Judgment per Side and Return without any Charge for Search or Copy of Judgment.....	7	
Scire ffacias against Special Bail p. <sup>r</sup> Side & Return without any Charge for Search & Copy Judgment.....	7	
Scire facias against Security for Cost on a Recognizance p Side and Return without any Charge for Search or other Matter .....	7	
Swearing every Jury.....	46	p. 89
Swearing every Bailiff.....	4	
Every other Oath in Court.....	4	
Duces Tecum and Return per Side as before.....	7	
Affixing the Seal of the Court to the Copy of any Judgment or a Transcript of any Judgment or any Record or Cer- tificate .....	12	
Taking Security on Condemnation on Attachments.....	6	
A Writ of Rerestitution and Return per Side.....	7	
Entring Action agreed, struck off or abated.....	26	
A Commission to examine Evidences per Side.....	7	
A Scire facias on a Certiorari per Side.....	7	
A Scire facias on Audita Querela per Side.....	7	
An Attachment on Noncompliance with the Common Rule in Ejectment per Side.....	7	
A Provincial Commission and Dedimus Potestatem per Side.	7	
A Summons in Partition and Return per Side.....	7	

L. H. J.		[1b Tob]
Liber No. 54	A Writ of Partition and Return per Side.....	7
Oct. 13	An Attachment in Partition and Return per Side.....	7
	A Habere facias Seisinam & Return per Side.....	7
	A Returno habendo and Return per Side.....	7
	A Writ of Distringas and Return per Side.....	7
	A Commission of Oyer and Terminer per Side.....	7
	A Commission of Goal Delivery per Side.....	7
	A Dedimus Potestatem to swear the Judges of Assize or Sheriff per Side.....	7
	A Writ of Publication to the Laws.....	12
	Drawing a Protest and recording it if not a special One.....	102
	Drawing any other Matter as publick Notary attested under the Seal .....	32
	If such Matter exceed one Side then per Side.....	7
	Drawing every special Protest per Side.....	7
	For Copy of any Matter or Thing hereinbefore mentioned per Side and so pro rato if required and delivered.....	7
	For recording or copying any Matter or Thing hereinbefore enumerated for which no other Allowance hath been already made and not prohibited to be recorded per Side.....	7

## COMMISSARY GENERAL'S FEES

		[1b Tob]
	For granting Letters of Administration, swearing the Ad- ministrators, taking Bond, issuing Warrant to Appraisers, and Warrant to Swear them or for Probate of any Will and granting Letters Testamentary (if required) with Copy of Will annexed, taking Bond and issuing Warrant to Ap- praisers and Warrant to swear them.....	175
	To the Deputy for the like Services when done by him.....	150
	Every Commission to pass Account including Petition and Order thereon .....	54
	Dedimus Potestatem to take an Answer per Side.....	7
	For recording Wills, Inventories, Accounts, or copying the same out of the Commissary's Office per Side computing 7 Words to a Line and fifteen Lines to a Side.....	7
	Taxing and filing Costs.....	7
	Copy Costs if demanded and delivered.....	7
	Drawing definitive Sentence per Side.....	7
	Recording definitive Sentence per Side.....	7
	A Writ of Execution on definitive Sentence per Side.....	7
	Seal to definitive Sentence if required.....	112
	Seal to writ of Execution of definitive Sentence.....	112
	Copy of every Libel, Answer, Replication or Rejoinder per Side, if demanded.....	7
	Drawing Depositions of Witnesses per Side.....	7

	[lb Tob]	L. H. J. Liber No. 54 Oct. 13
Filing Interrogatories .....	19	
Every common Citation.....	9	
Every special Citation per Side.....	7	
Every Attachment .....	25	
Attachment on Decree per Side.....	7	
Subpoena for Costs.....	10	
Every Appearance of either Party.....	7	
Entry of every Return.....	4	p. 90
Quietus est .....	Nothing	
For a Continuance or Reference, to be charged to the Libel- lant only .....	4	
For a Search of a Record the first Year.....	Nothing	
For every Search afterwards be the Time of what Length soever if the matter sought for be found and no Copy thereof taken, if Copy taken no charge for the Search....	15	
Exemplification of Letters Testamentary or Administration under Seal .....	38	
Commission or Proclamation of Rebellion.....	64	
Commission to examine Evidences and Commission to Auditors .....	25	
Scire facias .....	25	
Duces Tecum .....	32	
Entring every Motion in Suits depending in Court and Order thereon .....	5	
If above one Side after the Rate of per Side.....	7	
For transmitting Balance, Sureties Names and Distribution per Side .....	7	
Entring of Prayer for Appeal.....	4	
Letters De Bonis non per Side.....	7	
Filing every Libel, Answer, Replication, Petition, or Exhibits where not recorded, for each.....	4	
For recording or copying any Matter or Thing hereinbefore enumerated for which no other Allowance hath been already made and not prohibited to be recorded, per Side.....	7	

TO THE REGISTER OF THE LAND OFFICE

	[lb Tob]
For a Common Warrant and Entry.....	33
For renewing the same and Entry, whether in or out of Date..	33
For recording Certificates per Side computing 105 Words to a Side .....	7
For making out a Grant.....	90
For recording the same.....	67
For a Special Warrant on the Proclamation of Escheat or Resurvey including Petition and Order thereon.....	250
For searching any Matter or Thing the first Year.....	Nil

L. H. J. Liber No. 54 Oct. 13		[lb Tob]
	For drawing a Petition at the Request of the Party and Order thereon .....	50
	For a Special Warrant for Vacant Cultivation including Petition and Order thereon.....	150
	For renewing every Special Warrant whether in or out of Date .....	33
	For every Deed or Assignment.....	24
	For hearing and final Order on Caveat.....	75
	For all Searches above one Year if the Matter searched for be found and no copy thereof taken if Copy taken no Charge for the Search.....	15
	For all Copies per Side computed as before.....	7

TO THE CLERKS OF THE COUNTY COURTS [lb Tob]

	Issuing and filing every Common Writ and Return.....	9
	Filing every Declaration if not recorded.....	2
	A Copy of the same if demanded, per Side.....	4½
	Every Appearance entered of either Party.....	4
	Entry of Imparlance.....	2
	Every Subpoena with not more than three Names.....	6
p. 91	Every Name more than three.....	1
	Every Witness applied for at the same Time to be included in the saime [ <i>sic</i> ] Subpoena.....	
	Rule to plead or Tryal moved for and entered.....	2
	For making up the Issue or Issues in every Suit when done by the Clerk.....	6
	Entering and signing Judgment.....	14
	A Venire facias for Jurors and Return if issued by Order of Court .....	6
	Entering the Panel.....	2
	Copy Panel .....	2
	Taxing and filing Bill Cost.....	5
	Copy thereof if demanded with the Articles at large.....	5
	Issuing every Execution and filing the same and Return without any Charge for Copy Judgm. <sup>t</sup> .....	9
	For filing or taking every Special Bail in or out of Court...	3
	Writ of Enquiry of Damages and Return per Side and so pro rato .....	4½
	For entering an Appeal.....	4
	A Return of a Certiorari or Habeas Corpus and Copy of the Record per Side.....	4½
	Entering a Writ of Error.....	4
	Every Oath taken in Court.....	3
	Proving a Deed or Writing.....	4
	A Copy of the same, if required, per Side.....	4½



	[1b Tob]	L. H. J. Liber No. 54 Oct. 13
For entering fieri facias where the same is executed and Schedule returned, but in no other Case, per Side.....	4½	
The same fee in Elegits.....	4½	
Recording the Mark of Cattle or Hogs.....	3	
Taking and certifying Acknowledgments of Land in Court..	5	
Recording a Conveyance of Land per Side.....	4½	
Allowance of Habeas Corpus.....	4	
For all Searches the first Year.....	Nothing	
For all Searches above one year be the Time of what Length soever if the Matter searched for is found and no Copy taken .....	10	
If Copy taken then Nothing for search.....		
Every Scire facias per Side and so pro rato without any Charge for Search or Copy of Judgment.....	4½	
Attachment and Scire facias.....	18	
Short Copy Judgment if expressly demanded.....	9	
Habeas Corpus & filing the same & Return.....	8	
Elegit and filing the same and Return.....	8	
Drawing, taking and recording Bonds for Orphans Estates.	40	
Duces Tecum and Return.....	8	
Taking Security on Condemnation.....	3	
Entering Action agreed, struck off, or abated.....	2	
Commission to examine Evidences and Return per Side and so pro rato.....	4½	
A Continuance or Reference to be charged to the Plaintiff only .....	2	
For filing every special Plea if not recorded.....	2	
For filing every Replication if not recorded.....	2	
For filing Rejoinder, Surrejoinder if not recorded.....	2	
And every other Pleading to making up the Issue for each if not recorded .....	2	
For filing Demurrer and Joinder in Demurrer each if not recorded .....	2	
For filing every Account if not recorded.....	2	
For recording or copying any Matter or Thing hereinbefore enumerated for which no other Allowance hath been already made and not prohibited to be recorded per Side.....	7	

## CRIMINAL FEES

	[1b Tob]
Filing every Recognizance taken out of Court if not recorded	2
For taking every Recognizance with or without Sureties in Court .....	3
Appearance of the Principal to every Recogniz. <sup>a</sup> .....	5
Di[s]charging of Recognizance with or without Security...	8

L. H. J. Liber No. 54 Oct. 13		[tb Tob]
	Every Process to apprehend a Criminal issued by Order of Court . . . . .	9
	For every Appearance of the Person charged to every Resentment or Indictment . . . . .	5
	Every Respite and Continuance . . . . .	5
	For every Order . . . . .	4
p. 92	A Copy of Recognizance with or without Security . . . . .	7
	For every Indictment per Side . . . . .	5
	A Copy of the Panel . . . . .	2
	For recording the Verdict . . . . .	9
	Entring and signing Judgment . . . . .	14
	A Copy of the Indictment per Side . . . . .	5
	Entring a Plea . . . . .	5
	Confession of Indictment . . . . .	5
	For recording or copying any Matter or Thing hereinbefore enumerated for which no other Allowance hath been already made and not prohibited to be recorded p Side . . .	7

CHANCERY PROCEEDINGS IN COUNTY COURTS [tb Tob]

Entring Motion and Order . . . . .	4
Entring and signing Decree . . . . .	14
Taxing and filing Costs . . . . .	5
Copy Cost with Articles at large if demanded . . . . .	5
Affixing the Seal to any Transcript or Certificate . . . . .	5
Filing every Bill if not recorded . . . . .	2
Filing every Answer if not recorded . . . . .	2
Filing every Plea if not recorded . . . . .	2
Filing every Demurrer if not recorded . . . . .	2
Filing Accounts, Books of Accounts, Bonds, Deeds, or other Papers, or Writings referred to, and made a Part of any Bill in Chancery, Answer, or other Pleading or Process thereupon if not recorded Each . . . . .	2
Filing every Return of Commission and Depositions if not recorded . . . . .	2
Filing every Deposition if taken in Court and without Commission if not recorded . . . . .	2
Filing every Petition and Order thereon if not recorded . . .	2
Filing every Bond with or without Surety if not recorded . . .	2
For recording or Copying any Matter or Thing hereinbefore enumerated for which no other Allowance hath been already made and not prohibited to be recorded per Side . .	4½

And be it enacted That the several County Justices in their respective Counties at the Time of assessing the County Levy shall and they are hereby impowered and directed to allow the clerk of each

respective County the Sum of two Maryland Pounds of Tobacco Yearly in their County Levies in Lieu of, and for full Satisfaction for Warrants to the Overseers of the High Ways, Constables Warrants, taking and making Indentures of Orphans, assisting in laying and for apportioning the County Levy, and all other Services to be done for their respective Counties and by Order of the Justices for the Time being.

L. H. J.  
Liber No. 54  
Oct. 13

And all the respective County Clerks within this Province for the Time being shall and they are hereby obliged to do all the said Services and such others for the Use of the respective Counties as shall be required by the Justices of the Peace of each respective County from Time to Time and at all Times hereafter for and in Consideration of the Allowances aforesaid

## TO THE SHERIFF

[1b Tob] P. 93

Serving Writ and taking Bail Bond & Return.....	28
Collecting the public and County Dues for every 100.....	6
Collecting Officers fees for every Hundred.....	6
For every Commitment and Release.....	30
Impaneling a Jury.....	90
Serving Scire facias including the person summon'd.....	22
Serving Citation .....	22
Executing a Warrant of Resurvey per Day.....	75
Summoning Evidences to prove the Bounds of Land for each Person summoned .....	22
If impowered to swear Evidences for every Witness sworn by him .....	9
Serving a Subpœna and Return.....	22
For keeping a Prisoner in Jail and finding him Victuals dur- ing the first Month per Day.....	15
For every Day such Imprisonment and victualling after the first Month per Day.....	7
Serving a Writ of Possession in Ejectment and Return....	112
Writ of Seisin on a Common Recovery & Return.....	10
Serving an Ejectment and Return.....	50
Every Election for one or more Members.....	1000
Serving an Attachment of Contempt and Return.....	37
Serving Writ of Estrepment and Return.....	75
Serving Ne exeat Provinciam and Return.....	90
Serving a Copy of Declaration or short Note.....	4
Summoning Appraisers to value Goods taken by Attachment, ffieri facias or Replevin for each Appraiser summoned...	22
Swearing the said Appraisers every Oath.....	9
Serving an Attachment on Judgment or Execution and Return	7
Executing Writ of Ad quod Damnum or Melius inquiren- dum & Return per Day.....	75

L. H. J.	[th Tob]
Liber No. 54	
Oct. 13	
Impanelling a Jury on the same.....	180
Swearing the said Jury for every Oath.....	9
Taking an Inquisition and returning the same with the said Writ .....	75
Serving a Writ of Rerestitution and Return.....	112
Impanelling a Jury to enquire of a forcible Entry and Detainer .....	180
For each Person summoned as an Evidence on the same....	22
For swearing Chain Carriers every Oath.....	9
For an Arrest on a Warrant & Return in Criminal Cases....	26
For serving Duces Tecum and Return.....	26
Return on an Attachment when Mesne Process.....	7
For laying an Attachment in any Garnishee's Hands for each Garnishee .....	22
For all Goods and Chattels which any Sheriff shall attach and take into his Possession or wherewith he shall be chargeable and which shall be condemned the same ffees as on Executions .....	
Returning fieri ffacias or Replevin each.....	7
The same ffees on a fieri ffacias or Replevin as upon Attachments .....	
Also the same ffees on Appraisment and Sale of Goods distrained and sold for Rent.....	
Serving Writ Returno Habendo and Return.....	75
Serving Writ of Distringas and Return.....	75
Service and Return of Elegit or Liberate.....	75
Impanelling Jury on Elegit or Extent.....	180
For Swearing the same each.....	9
Serving Writ of Restitution and Return.....	112
Summons in Partition for every Person summoned and Return .....	22
Serving Writ of Partition and Return.....	26
Impanelling Jury thereon.....	180
Swearing the Jury each.....	9
Attendance per Day.....	75
Serving an Attachment in Partition and Return.....	37
Returning Writ Inquiry of Damages.....	75
Impanelling Jury thereon.....	180
Swearing the same each.....	9
Attendance per Day.....	75
Proclamation of Rebellion and Return.....	90
Serving Withernam and Return.....	75
And the same ffees allowed as upon Replevins.....	

And That on the Service of any Execution for Money or Tobacco the Sheriff for the Service of the same charge and receive on



the same at the Rate of seven per Cent for the first five Pounds or Eight hundred Pounds of Tobacco and at the Rate of three per Cent for the Residue in the same Specie the Execution shall issue for or be indorsed

L. H. J.  
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## TO THE SURVEYOR GENERAL &amp; HIS DEPUTIES

[lb Tob]

For the surveying of One hundred Acres of Land or under per Acre .....	3
Any Quantity above One hundred Acres and under two hundred .....	3
If between two hundred Acres and five hundred Acres then for the first two hundred as before and for all above two hundred Acres .....	16
Five hundred Acres as before and for all above per hundred Acres .....	7
For every Plat allowing three Plats for every Survey that is to say one to the Party One to the Examiner General and the other to be entered with the Certificate upon the Surveyor's Books for the first hundred Acres or under .....	7
For all above the first hundred Acres per Hundred .....	3
For a Journey ffee if the Land be distant from the House of the Surveyor who actually makes the Survey twenty Miles or under .....	30
And if more, one Pound and half Pound of Tobacco per Mile not exceeding 30 Miles .....	
For every Certificate of Survey be the Quantity more or less For the Resurvey of One hundred and forty Acres of Land or under made with a Circumferentor Chain and other necessary Instruments whether made up of one or more Tracts, correcting and amending the original Survey or Surveys and adding contiguous Vacancy thereto for the resurveying whereof a Warrant is or shall be issued out of the Land Office .....	3
For the Resurvey of any Quantity of Land above one hundred and forty Acres as afd whether made up of one or more Tracts under Warrant as afd, then for the said Quantity of One hundred and forty Acres the said Sum of . . .	300
And for the Residue the same Fees as allowed upon primitive Surveys .....	300

## TO THE JUDGE OF THE ADMIRALTY COURT

[lb Tob]

For every Sentence or Condemnation ffee .....	500
For attesting all Depositions .....	22
For every Stipulation made before him .....	90

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## TO THE REGISTER OF THE ADMIRALTY COURT

[1b Tob]

For every Writ under Seal per Side.....	7
Taxing and filing Bill of Cost.....	9
For Copy Bill of Cost if demanded.....	9
For entring and signing Decree or Judgment.....	30
For swearing every Evidence in Court.....	4
For Issue and Rule.....	24
For drawing every Deposition per Side.....	7
For filing every Libel if not recorded.....	4
Filing every Answer if not recorded.....	4
Filing every Plea if not recorded.....	4
Filing every Demurrer if not recorded.....	4
Filing every Petition and Order thereon if not recorded....	4
Filing Accounts Books of Accounts or other Paper or Writ- ings referred to and made Part of any Libel, Answer or other Pleading or Process thereupon if not recorded each..	4
Filing every Return of Commission and Depositions if not recorded .....	4
Filing every Deposition if taken in Court without Commis- sion if not recorded.....	4
Filing every Bond with or without Security if not recorded.	4
For taking or filing every Stipulation with or without Se- curity if not recorded.....	4
For recording or copying any Matter or Thing hereinbefore enumerated for which no other Allowance hath been al- ready made and not prohibited to be recorded per Side...	7

## TO THE MARSHAL OF THE ADMIRALTY COURT

[1b Tob]

For serving every Writ for seizing a Vessel and Return....	26
For serving every Writ against the Commander and Return.	26
For Subpoena every Witness and Return.....	22
For every Proclamation.....	15
For serving every Writ of Attachment & Return.....	26
For every Vessel acquitted.....	60
For every Non est inventus on Writ or Subpoena.....	7
For swearing every Evidence in Court.....	9
For Subpoena Appraisers.....	45
For any other extraordinary Service when obliged to travel from Home at the Rate of per Mile besides Ferriages and necessary Expenses to be allowed by the Judge on Proof being made thereof.....	2

## TO THE EXAMINER GENERAL

[1b Tob]

For examining every Certificate of Survey of One hundred Acres or under on which Patent shall issue.....	45
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	[tb Tob]	L. H. J. Liber No. 54 Oct. 13
From One hundred Acres to two hundred Acres.....	52	
From two hundred Acres to three hundred Acres.....	60	
For every hundred Acres above three hundred Acres.....	3	
For a Certificate of resurvey whether made up of one or more Tracts of One hundred Acres on which Patent shall issue. }	75	
From one to two hundred Acres.....	87	
From two Hundred to three hundred Acres.....	98	
For every hundred Acres above three hundred.....	5	

TO THE CLERK OF THE COURT OF APPEALS

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	[tb Tob]	
Recording every Writ of Error Scire facias and Return per Side computing One hundred and five Words to a Side the like for recording a Transcript the like fees for recording of Errors per Side.....	7	
Entring and signing Judgment.....	47	
Taxing and filing a Bill of Cost.....	7	
Copy of the same if demanded.....	7	
Filing Bill of Cost from the Provincial chancery or any other Court .....	7	
Writ of Diminution and Return.....	21	
Writ of Possession or any other Execution & Return.....	20	
Entring any Motion or Order, filing or recording any Bond in Court, entring any Petition, entring and drawing any Affidavit or Deposition taken or returned into Court, Copy Errors, recording Proceedings transmitted from the Chan- cery Court or copy the same, filing any Plea, Replication or Demurrer or Copy the same in Common Law Proceedings, Entrg any Reference in Court and Copy the same or copy- ing any other Proceedings per Side and so pro rato.....	7	
Issue and Rule.....	24	
Affixing the Seal of the Court to any Copy of Proceedings or Exemplification .....	131	
And for all other Services the same fees as taken in the Sec- retary's Office .....		
The Clerk of every Court of Delegates to have the same fees that are allowed and limited by this Act to the Clerk of the Court of Appeals and no more.....		

TO THE CLERK OF THE COUNCIL

[tb Tob]

Every Petition in Council and Order in Favour of the Party.	150
Any Commission or other Instrument prepared by the said Clerk to pass the broad Seal if for a Place of Profit Record- ing the same.....	150

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Liber No. 54	Every Sheriff's Commission.....	300
Oct. 13	Every Coroner's, Ranger's, Surveyor's, Commission, or other Commission of Profit.....	150
	Recording any Matter in Council per Side for and at the Request of any private Person computing One hundred and five Words to a Side.....	7
	Copy of any Matter or Thing from the Council Record p Side	7
	All Searches to the Clerk of the Council the same fees as are allowed to the Secretary if no Copy taken.....	15

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CRYERS FEES IN THE PROVINCIAL COURT

		[fb Tob]
	Swearing every Jury.....	108
	Swearing every Witness.....	9
	Swearing the Bailiff.....	9
	Every other Oath in Court.....	5
	Every Special Bail.....	54
	Clearing every Prisoner by Proclamation if required.....	60

CORONERS FEES

		[fb Tob]
	Viewing the Body of any Person or Persons murdered or slain or otherwise dead by Misadventure to be paid out of the Goods and Chattels of the Party so dead if any there be otherwise to be levied by the Commissioners of the County where such Accident shall happen.....	187
	Arresting or summoning any Sheriff sued or prosecuted in any Court and for taking Security.....	30
	The same fees allowed wherein the Sheriff is Plaintiff on all Processes as to the Sheriff and no more.....	

CRYERS FEES IN THE COUNTY COURT

		[fb Tob]
	Swearing every Jury.....	36
	Swearing every Bailiff.....	4
	Every other Oath in Court.....	3
	For Special Bail.....	20
	Clearing every Prisoner by Proclamation if required.....	30

Which said Resolutions were severally read and agreed to by the House

The Bill entitled An Act directing the Sale of the Lands of Richard Heard late of Saint Mary's County deceased for the Payment of the Debts of the said Richard Heard Sent to the Upper House by M.<sup>r</sup> Key and M.<sup>r</sup> Harrison—They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill



The Bill entitled An Act for abolishing June County Courts and for other Purposes therein mentioned Sent to the Upper House by M.<sup>r</sup> Chase and M.<sup>r</sup> Nicholas Thomas—They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

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The Petition of John Clayton read a second Time and granted

Leave given to the Petitioner to bring in a Bill according to the Prayer of the Petition

The Petition of Thomas Harrison read a second Time and granted

Leave given to the Petitioner to bring in a Bill according to the Prayer of the Petition.

Upon reading a second Time the Message from the Upper House of the 6:<sup>th</sup> Instant the following Paper was produced by a Member of this House, which was said to be the Copy of a Petition preferred to the Upper House the last Session of Assembly and taken at the Request of One of the Members of this House, by M.<sup>r</sup> William Hutchings

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To his Excellency Robert Eden Esquire Governor of Maryland and the Honourable the Upper House of Assembly of the said Province

The Petition of the Subscribers Inhabitants of Baltimore County humbly sheweth

That a Petition having been preferred to the present General Assembly signed by a certain John Paca, Thomas Cockey Deye and six others the particular Dependants and Adherents of the said John Paca and Thomas Cockey Deye, asserting and alledging that from the raging of the Small Pox in the Town of Baltimore a Majority of the Freeholders in the said County will be prevented from attending and voting at the Election, if held in Baltimore Town, and praying that the said Election might be held in Part at the Town of Joppa. Which Petition being by your Honourable House referred to the Consideration of the Lower House of Assembly was there read and rejected upon the Principal adopted by that Honourable House That in all Petitions relating to Elections the Consideration of the same doth solely appertain to that Branch of the Legislature That after the said Petition was so read and rejected a Motion was made and Leave given to bring in a Bill for holding the Election in Part at Joppa—Your Petitioners in Justice to themselves as well as many others the Inhabitants of Baltimore County think themselves bound in Duty to remonstrate to your Excellency and Honours against the Passage of a Bill so extraordinary in its Nature and which appears calculated only to answer the private Purposes of a few Individuals without any Benefit arising therefrom to the Public. To prove the Falsity of the Allegations contained in the Preamble of the said Bill your Petitioners beg Leave to refer to Depositions of the Witnesses hereto annexed—And as the said

L. H. J. Bill is repugnant to the Laws Usage and Customs of this Province,  
 Liber No. 54 introductory of a new Mode of Election, hitherto unknown, founded  
 Oct. 13 upon Assertions of a few Individuals, not supported by, but devoid  
 of Truth, we humbly submit to the Consideration of your Excellency  
 and Honours whether such ought to be past into a Law—

William Ottey	Jacob Myers	John Smith
Benjamin Rogers	Thomas Jones	William Spear
Samuel Owings jun. <sup>r</sup>	— — —	— — —
Robert Alexander	Thomas Worthing-	John Haden
John Boyd	ton	Ja: Sterritt
Charles Weisenthall	Mordeca Mordecaij	— — —
John Purviance	James Kelly	Elias Barnaby
Jonathan Plowman	John Owen	— — —
John Dodge	John Cannon	W. <sup>m</sup> Westbag
— — —	Barnett Echelberger	— — —
— — —	John Horn	Philip Miller
R Moale	Jacob Dowdal	John Hartt
Charles Ridgely	Sam Roddny	— — —

[*Editor's Note. The names indicated by dashes [— — —] are illegible. See second paragraph below.*]

Whereupon it is ordered that Summons issue for M.<sup>r</sup> William Hutchings to appear at the Bar of this House at three O'Clock this Afternoon to answer unto such Questions as may be then and there put to him by the Honourable Spéaker and the House in Relation to the said Paper.

The House being informed that William Hutchings was attending at the Door agreeable to the said Summons Ordered That he be called in—The said Hutchings appearing accordingly and being sworn declared to the following Effect “That the Paper shewn to him was wrote by him—That some Time last Sessions of Assembly M.<sup>r</sup> Thomas Cockey Deye desired him to make a Copy of a Paper which he understood was called a Remonstrance to the Upper House by some People in Baltimore County, and that he wrote the Paper now shewn him for a true Copy of the said Remonstrance and that the Signers Names which are in English were also truly copied; but as to the Dutch Names he cannot say whether the Characters are exactly copied—That he and M.<sup>r</sup> Deye examined the said Copy with the Original and found it to be a true Copy”—And then he withdrew

M.<sup>r</sup> Deye, a Member of the House, being desired to declare to the House what he knew concerning the said Paper, said, “That he and M.<sup>r</sup> John Paca received a Notice in Writing from Doctor Scott, Clerk of the Upper House That some Gentlemen in Baltimore County had put in a counter Petition against their Petition for an Act to hold the Election of Baltimore County at different Places:

That a Day was appointed for a Hearing, and that if they desired it, they might be heard by Council before the Upper House—On which he, M.<sup>r</sup> Deye, applied for a Copy of the said Petition, and the Clerk answered, he could not then make him a Copy but he might have the Original if he would return it soon, and accordingly delivered it to him: And he, M.<sup>r</sup> Deye, applied to M.<sup>r</sup> William Hutchings to make him a Copy thereof, and the paper now before the House is that Copy which he believes was truly taken.”

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Whereupon it is resolved That the said Petition is false and scandalous, reflected on the Honour, Justice and Impartiality of this House and highly derogatory of its Rights and Privileges

Resolved, That this House will take into Consideration the said Petition on Saturday next

Ordered That the Serjeant at Arms attending this House do forthwith take into his Custody the Bodies of William Ottey, Benjamin Rogers, Samuel Owings Jun.<sup>r</sup>, Robert Alexander, John Boyd, Charles Weisenthal, John Purviance, Jonathan Plowman, John Dodge, Richard Moale, Charles Ridgely, Jacob Myers, Thomas Jones, John Smith William Spear, James Sterritt and John Hartt, and have them at the Bar of this House on Saturday the twentieth Instant, to answer at the Bar of this House, for a certain false and scandalous Petition signed by them and preferred to the Honble the Upper House of Assembly, at the last Session of Assembly, reflecting on the Honour, Justice and Impartiality of this House, and highly derogatory of it's Rights and Privileges

On Motion of M.<sup>r</sup> Goldsborough from the Committee of Accounts, That Col.<sup>o</sup> Charles Hammond, Treasurer of the Western Shore, the Executors of Col.<sup>o</sup> Edward Lloyd, late Treasurer of the Eastern Shore, and the Executors of Beddingfield Hands Esquire, late Treasurer of the Eastern Shore had neglected to bring in their Treasurers Accounts agreeable to Act of Assembly—

Resolved, That this House will on Tuesday next take into Consideration the subject Matter of the said Motion

On Motion, Leave given to bring in a Bill to oblige the several County Clerks to have with them on their respective Office Days the four last Courts Dockets and Papers

Ordered That M.<sup>r</sup> Ringgold, M.<sup>r</sup> N. Thomas, M.<sup>r</sup> Tilghman, M.<sup>r</sup> W. Paca, M.<sup>r</sup> Chase and M.<sup>r</sup> Smallwood do prepare and bring in the same

M.<sup>r</sup> Deye brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled an Act to give Thomas Harrison further Time to effect the Removal of a Nuisance in Baltimore Town in Baltimore County—Which was read the first and second Time by an especial Order and will pass.

M.<sup>r</sup> Thomas Brooke Hodgkin is discharged from any further Attendance, as Clerk to the several Committees during this Session  
The House adjourns till Monday Morning Eight O'Clock

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Monday 15<sup>th</sup> October 1770

The House met according to Adjournment

The Members were called and all appeared as on Saturday

The Proceedings of Saturday were read

The Bill entitled an Act to give Thomas Harrison further Time to effect the Removal of a Nuisance in Baltimore Town in Baltimore County Sent to the Upper House by M.<sup>r</sup> Matthews and M.<sup>r</sup> John Paca—They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

John Beale Bordley Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Bill entitled An Act directing the Sale of the Lands of Richard Heard late of Saint Mary's County deceased for the Payment of the Debts of the said Richard Heard—

The Bill entitled An Act to enable the Justices of Somerset County to levy on the taxable Inhabitants of Somerset Parish in the said County a Quantity of Tobacco for the Purposes therein mentioned; severally indorsed By the Upper House of Assembly October 13.<sup>th</sup> 1770 "Read the first Time and ordered to lie on the Table

Signed by Order U Scott Cl. Up. Ho."

And thus "By the Upper House of Assembly October 15.<sup>th</sup> 1770 Read the second Time and will pass

Signed by Order U Scott Cl Up. Ho."

Which Bills were read here and past for ingrossing.

Also the Bill entitled an Act for abolishing June County Courts and for other Purposes therein mentioned thus indorsed "[By] the Upper House of Assembly October 13.<sup>th</sup> 1770 Read the first Time and ordered to lie on the Table

Signed by Order U Scott Cl. Up. Ho."

And thus By the Upper House of Assembly October 15.<sup>th</sup> 1770 Read the second Time and will pass with the following Amendment Viz.<sup>t</sup> After the Word "notwithstanding" in the 7.<sup>th</sup> Line of the last Page, add the following Clause. "This Act to continue and be in fforce for and during the Term of three Years and to the End of the next Session of Assembly which shall happen after the said three Years" Which was read here with the Amendment and ordered to lie on the Table

Also the Bill entitled an Act to give Thomas Harrison further Time to effect the Removal of a Nuisance in Baltimore Town in Baltimore County thus indorsed "By the Upper House of Assembly October 15.<sup>th</sup> 1770 Read the first and second Time by an especial Order and will pass

Signed by Order U Scott Cl. Up. Ho."



Which Bill was read here and past for ingrossing

M.<sup>r</sup> Ringgold brings in and delivers to M.<sup>r</sup> Speaker the Bill entitled An Act for amending the Staple of Tobacco for preventing ffrauds in his Majesty's Customs and for the Regulation of Officers ffees. Which was read the first Time and ordered to lie on the Table

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M.<sup>r</sup> Joseph Dashiell appeared in the House

The House adjourns till To Morrow Morning Eight O'Clock

Tuesday October 16:<sup>th</sup> 1770

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The House met according to Adjournment.

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The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read

M.<sup>r</sup> Eden, M.<sup>r</sup> Grahame and M.<sup>r</sup> Wright appeared in the House

The Bill for abolishing June County Courts &<sup>ta</sup> with the Amendment proposed by the Upper House was read a second Time and past for ingrossing

M.<sup>r</sup> Ringgold brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled An Act to invest John Clayton with an exclusive Privilege and Benefit of making and selling a Machine for threshing of Wheat on a Model by him invented which was read the first Time and ordered to lie on the Table

M.<sup>r</sup> W. Paca brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled An Act for the Adjournment and Continuance of the High Court of Appeals and for other Purposes therein mentioned—Which was read the first Time

Ordered, That the said Bill be read a second Time. Upon reading the said Bill a second Time, Ordered, That the same be committed for Amendment

M.<sup>r</sup> Buchanan hath Leave of Absence till Friday next

M.<sup>r</sup> Ringgold brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled An Act for the Adjournm.<sup>t</sup> and Continuance of the High Court of Appeals and for the Adjournment of the Provincial Court and other Purposes therein mentioned—Which was read the first and second Time by an especial Order and will pass

The Order of the Day for taking into Consideration the State and Condition of the publick Offices being read the same is referred for Consideration on Tuesday the 23<sup>d</sup> Instant.

The Order of the Day for taking into Consideration the Subject Matter of the Motion from the Committee of Accounts relative to the Treasurers Accounts being read the same is referred for Consideration on Tuesday the 23:<sup>d</sup> Instant.

The House adjourns till To-Morrow Morning Eight O'Clock



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Wednesday October 17:<sup>th</sup> 1770

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Dickinson appe:<sup>d</sup> in the House

The Bill entitled An Act to invest John Clayton with an exclusive Privilege and Benefit of making and selling a Machine for threshing of Wheat on a Model by him invented Read the second Time and will pass—Sent to the Upper House by M.<sup>r</sup> Ringgold and M.<sup>r</sup> Steele

They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

p. 102 The Bill for the Adjournment and Continuance of the High Court of Appeals and for the Adjournment of the Provincial Court and for other Purposes therein mentioned—Sent to the Upper House by M.<sup>r</sup> W. Paca and M.<sup>r</sup> Grahame. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

Daniel Dulany Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Bill entitled an Act to invest John Clayton with an exclusive Privilege &<sup>ta</sup> thus indorsed “By the Upper House of Assembly October 17:<sup>th</sup> 1770 Read the first and second Time by an especial Order and will pass

Signed by Order U Scott Cl. Up. Ho.”

Which Bill was read here and past for ingrossing

Also the Bill entitled an Act for the Adjournment and Continuance of the High Court of Appeals and for the Adjournment of the Provincial Court and for other Purposes therein mentioned thus indorsed “By the Upper House of Assembly October 17:<sup>th</sup> 1770 Read the first and second Time by an especial Order and will pass with the following Amendments Viz.<sup>t</sup> After the Word “Sitting” in the second Section add the following Words Viz.<sup>t</sup> “And which cannot otherwise so long continue” And instead of the Words “25:<sup>th</sup> Day of January” in the same Section insert the following Words Viz.<sup>t</sup> “the third Tuesday in February next.”

Signed by Order U Scott Cl. Up. Ho.”

Which Bill was read here, with the Amendments, and past for ingrossing

Walter Dulany Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Petition of John Horrell of Chaptico praying that Zachariah Bond of Saint Mary’s County may not have the Benefit of the Insolvent Act

And the Petition of sundry the Inhabitants of Somerest and Worcester Counties praying that an Act may pass to empower the Visitors of the Free Schools in each County to sell the present Schools, and with the Money arising from the Sale thereof to pur-

chase other Lands for erecting one School in lieu of the Two convenient to each County severally indorsed "By the Upper House of Assembly October 17.<sup>th</sup> 1770 Read and referred to the Consideration of the Lower House of Assembly

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Signed by Order U Scott Cl. Up: Ho."

Which Petitions were read here and ordered to lie on the Table

The Bill entitled an Act for amending the Staple of Tobacco for preventing Frauds in his Majesty's Customs and for the Regulation of Officers fees read the second Time and will pass Sent to the Upper House by M.<sup>r</sup> W. Paca, M.<sup>r</sup> Eden, M.<sup>r</sup> Ringgold, M.<sup>r</sup> Worthington, M.<sup>r</sup> Gantt, M.<sup>r</sup> Smallwood, M.<sup>r</sup> Gale, M.<sup>r</sup> Goldsborough, M.<sup>r</sup> Steele, M.<sup>r</sup> Ward, M.<sup>r</sup> Beall, M.<sup>r</sup> Wright, M.<sup>r</sup> J. Paca, M.<sup>r</sup> Selby and M.<sup>r</sup> Luckett. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill—

M.<sup>r</sup> Beall and M.<sup>r</sup> Heugh have Leave of Absence till Monday next

M.<sup>r</sup> Mackall and M.<sup>r</sup> Key added to the Committee appointed to enquire into the ffacts set forth in the Petition of Abraham Barnes

M.<sup>r</sup> Beall brings in and delivers to M.<sup>r</sup> Speaker the following Report

By the Committee appointed to examine into the Truth of the several ffacts set forth in the Petition of Bartholomew Pomeroy of London Merchant

Your Committee in Obedience to the Order of the Honourable House have examined the several ffacts set forth in the said Petition and do find the same to be true, that is to say, that John Brooke the Obligor in the said Petition named did on the twenty sixth Day of January seventeen hundred and forty three four pass and execute his Bond to Thomas Hodgkin deceased in the said Petition mentioned in the Penalty of one hundred Pounds Sterling conditioned for the conveying and assuring to the said Thomas Hodgkin his Heirs and Assigns before the tenth Day of August seventeen hundred and forty six one Tract or Parcel of Land being Part of a Tract of Land called Rencher's Adventure lying and being in Prince George's County and contained within the Metes and Bounds Courses and Distances in the said Petition contained and specified. That the said Thomas Hodgkin on the said twenty sixth Day of January seventeen hundred and forty three four past his bond to the said John Brooke in the Penalty of One Hundred Pounds Sterling Money conditioned for the Payment of fifty Pounds Sterling at four Payments by the said tenth Day of August seventeen hundred and forty six in Consideration of the said Tract of Land so to be conveyed by the said John Brooke to the said Thomas Hodgkin as aforesaid

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That the said Sum of fifty Pounds Sterling hath been paid on the Bond last aforesaid by the said Thomas Hodgkin to the said John Brooke and his legal Representatives

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That the said Thomas Hodgkin afterwards that is to say on the twenty ninth Day of March seventeen hundred and fifty four did mortgage the said Parcel of Land called Rencher's Adventure (amongst other Things) to the said Bartholomew Pomeroy and certain William Torver and Joseph Jansen as Assignees of John Hutchinson and John Philpot Merchants for the Consideration in the said Petition set forth; the said Mortgage to be void on Payment of the said Consideration and Interest on or before the tenth Day of April seventeen hundred and fifty five. That the said John Brooke is dead leaving Issue John Brooke his oldest Son and Heir and that the said John Brooke the Son is dead leaving Issue an Infant of very tender Years (to wit John Brooke aged about six Years) his Heir at Law

That the said William Torver and Joseph Jansen are dead

That no Conveyance hath been made by the said John Brooke or his Heirs in Pursuance of the Bond aforesaid—That the said Parcel of Land was in the Possession of the said Thomas Hodgkin for many Years before and at the time of his Death, and that after his Death Bryan Philpot Attorney in ffact for the said Mortgagees entered upon the said Parcel of Land and took Possession of the same for them and on their Behalf and that the said Mortgagees and the Petitioner surviving Mortgagee under that Entry and Possession have kept and held the said Parcel of Land without any Interruption by Persons claiming or pretending Title to the same—That the Sum of three hundred and fifteen Pounds fifteen Shillings and One Penny Sterling Money (as appears from the Petitioners shewing) is now due on the said Mortgage exclusive of Interest.

Signed p Order Ralph Dobinson Cl

Which was read and ordered to lie on the Table

The Petition relative to Dorchester County Court House read a second Time and granted

p. 104 Leave given to bring in a Bill according to the Prayer of the Petition

Ordered, That M.<sup>r</sup> Sulivane, M.<sup>r</sup> Steele, M.<sup>r</sup> Mackall, M.<sup>r</sup> W. Paca, and M.<sup>r</sup> Gale do prepare and bring in the same

The Petition of the Inhabitants of Stepney Parish read a second Time and granted

Leave given to bring in a Bill according to the Prayer of the Petition

Ordered, That M.<sup>r</sup> Allen, M.<sup>r</sup> Purnell, M.<sup>r</sup> Gale, and M.<sup>r</sup> Dashiell do prepare and bring in the same

The Petition of Bartholomew Pomeroy read the second Time and granted with the following Restriction "Saving to John Brooke the Infant the Liberty and Privilege of shewing Cause if any he hath or can shew to the General Assembly of this Province at any

Time within six Months after he arrives to the Age of twenty One Years or at the next General Assembly after that Time why the said Bond so as aforesaid passed and executed by the said John Brooke the Obligor to the said Thomas Hodgkin ought not to have been specifically performed; and upon such Cause shewn to the Satisfaction of the said General Assembly that then the said Act shall be totally repealed and made void

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Leave given to the Petitioners to bring in a Bill agreeable thereto

On Motion, Leave given to bring in a Bill to impose a further Duty on Negroes imported into this Province and for the better Support of County Schools

Ordered, That M.<sup>r</sup> Ringgold, M.<sup>r</sup> Chase, M.<sup>r</sup> Allen, M.<sup>r</sup> W. Paca & M.<sup>r</sup> Tilghman do prepare and bring in the same

On Motion, Leave given to bring in a Bill for issuing Writs of Replevin out of the County Courts of this Province

Ordered, That M.<sup>r</sup> Chase, M.<sup>r</sup> Dickinson, M.<sup>r</sup> Tilghman, M.<sup>r</sup> Ringgold, M.<sup>r</sup> W. Paca and M.<sup>r</sup> John Hall do prepare and bring in the same

On Motion, Leave given to bring in a Bill for raising Pence Sterling on every Hogshead of Tobacco exported out of this Province for the Support of an Agent at London for the Service of this Province

Ordered, M.<sup>r</sup> Tilghman, M.<sup>r</sup> Ringgold, M.<sup>r</sup> Chase and M.<sup>r</sup> John Hall do prepare and bring in the same

The Bill entitled an Act for Tryal of all Matters of Fact in the several Counties where they have arisen or shall arise read a second Time; and the Question was put That the said Bill do pass? Resolved in the Affirmative

For the Affirmative

Messieurs	Ringgold	Goldsborough	Veazy
	Gresham	Tilghman	Wright
	Smallwood	N. Thomas	Allen
	Ware	Dickinson	Selby
	Harrison	Sulivane	Purnell
	Courts	Ward	Dashiell
	Gale	Gilpin	

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For the Negative

Messieurs	Eden	Gantt	J. Paca
	Key	Grahame	Matthews
	Chase	Steele	Deye
	Worthington	J. Hall	Luckett
	Griffith	W. Paca	Wootton
	Mackall	Tyler	
	Parran	Contee	

19



L. H. J. A Bill entitled an Act to remedy a Defect in the Title of Bartholo-  
Liber No. 54 mew Pomeroy of London Merchant to a Tract or Parcel of Land  
Oct. 17 called Rencher's Adventure lying in Prince George's County read  
p. 105 the first Time and ordered to lie on the Table

On Motion, Leave given to bring in a Bill to repeal Part of an Act to encourage the destroying of Wolves Crows and Squirrels

Ordered, That M.<sup>r</sup> Wright, M.<sup>r</sup> Ringgold, and M.<sup>r</sup> Dashiell do prepare and bring in the same

The House adjourns till To-morrow Morning Eight O'Clock

Oct. 18

Thursday 18:<sup>th</sup> October 1770

The House met according to Adjournment—

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read

The ingrossed Bill entitled an Act to invest John Clayton with an exclusive Privilege and Benefit of making and selling a Machine for threshing of Wheat on a Model by him invented;

The ingrossed Bill entitled an Act for the Adjournment and Continuance of the High Court of Appeals and for the Adjournment of the Provincial Court and other Purposes therein mentioned;

The ingrossed Bill entitled An Act for abolishing June County Courts and for other Purposes therein mentioned.

The ingrossed Bill entitled an Act to enable the Justices of Somerset County to levy on the taxable Inhabitants of Somerset Parish in the said County a Quantity of Tobacco for the Purposes therein mentioned

The ingrossed Bill entitled an Act directing the Sale of the Lands of Richard Heard late of Saint Mary's County deceased for the Payment of the Debts of the said Richard Heard Sent to the Upper House with the Paper Bill thereof by M.<sup>r</sup> Ringgold and M.<sup>r</sup> Dickinson They return and acquaint M.<sup>r</sup> Speaker they delivered the Bills

The Bill entitled an Act for the Tryal of all Matters of fact in the several Counties where they have arisen or shall arise—sent to the Upper House by M.<sup>r</sup> Gale and M.<sup>r</sup> Tilghman They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

On Motion, Ordered, That the Officers of this House be particularly attentive that no Person do lean on, or converse with any Member, across the Bar of the House, or make any Sign to any Member to come out; but that Application be made to the Door-Keeper, and *that* not during the Reading of, or Debate and Deliberation upon any Matter or Thing whatever.

Resolved, That the above be a standing Order of this House and be forthwith published in the Gazette.



Ordered, That if any Member go without the Bar during the Reading of, or Debate and Deliberation upon, any Matter or Thing whatever he be called to Order by M.<sup>r</sup> Speaker

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Liber No. 54  
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p. 106

Ordered, That if any Letter or Packet directed to the Speaker of this House do come to the Hand or Knowledge of the Speaker (or during the Time of a Dissolution to the Person who was Speaker) he do immediately take up and open the same and communicate the Contents thereof to this House at the next Session

On Motion, the Bill entitled An Act to redress the Evils arising from the Variation of the Compass in surveying Lands which was referred from last to this Session was read and ordered to lie on the Table

Ordered, That the same be taken into Consideration on Thursday the 25.<sup>th</sup> Instant

The Bill entitled an Act to remedy a Defect in the Title of Bartholomew Pomeroy of London Merchant to a Tract or Parcel of Land Rencher's Adventiure lying in Prince George's County read a second Time and will pass—Sent to the Upper House by M.<sup>r</sup> Tyler & M.<sup>r</sup> Contee They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

M.<sup>r</sup> Tilg[h]man brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled an Act to oblige the several County Clerks to have with them on their Office Days the four last Courts Docketts and Papers Which was read the first and second Time by an especial Order and will pass

Sent to the Upper House by M.<sup>r</sup> N. Thomas and M.<sup>r</sup> Key. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

The ingrossed Bill entitled an Act to give Thomas Harrison further Time to effect the Removal of a Nuisance in Baltimore Town in Baltimore County read and assented to—Sent to the Upper House with the Paper Bill thereof by M.<sup>r</sup> Deye and M.<sup>r</sup> Matthews—They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

William Hayward Esq from the Upper House delivers to M.<sup>r</sup> Speaker the following Paper Bills Viz.<sup>t</sup> Entitled an Act directing the Sale of the Lands of Richard Heard late of Saint Mary's County deceased for the Payment of the Debts of the said Richard Heard

An Act to enable the Justices of Somerset County to levy on the taxable Inhabitants of Somerset Parish in the said County a Quantity of Tobacco for the Purposes therein mentioned

An Act for abolishing June County Courts and for other Purposes therein mentioned

An Act for the Adjournment and Continuance of the High Court of Appeals and for the Adjournment of the Provincial Court and other Purposes therein mentioned

An Act to invest John Clayton with an exclusive Privilege and

L. H. J. Benefit of making and selling a Machine for threshing of Wheat  
 Liber No. 54 on a Model by him invented  
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An Act to give Thomas Harrison further Time to effect the Removal of a Nuisance in Baltimore Town in Baltimore County severally indorsed—"By the Upper House of Assembly October 18:<sup>th</sup> 1770 The ingrossed Bill whereof this is the Original read and assented to

Signed by Order U Scott Cl. Up. Ho."

p. 107 Walter Dulany Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Petition of Alex.<sup>r</sup> Cumming of Frederick County setting forth that Part of his Majesty's forces in the Year 1754 were quartered in a House belonging to him in the City of Annapolis and praying some Allowance to be made him for the Damage done by them to said House. Which was read the first Time and ordered to lie on the Table.

M.<sup>r</sup> W. Thomas appeared in the House

Daniel Dulany Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Petitions of several languishing Prisoners in the several County Jails in this Province with a List of their Names, thus indorsed "By the Upper House of Assembly October 18:<sup>th</sup> 1770 Read the Petitions of the following Prisoners and referred the same to the Consideration of the Lower House of Assembly Viz.<sup>t</sup> Thomas Weems of Ann Arundel County, Borden Wilcox and John Hada-burk of Cæcil County, William Lock, Moses Barney, Joseph Miller and John Miller of Batlimore County

Signed by Order U Scott Cl. Up. Ho."

Which Indorsement was read here and ordered to lie on the Table

M.<sup>r</sup> William Hopper a Delegate returned for Queen Ann's County to serve in this present General Assembly appeared in the House

Ordered, That M.<sup>r</sup> Wright and M.<sup>r</sup> Mackall do go with that Gentleman to the Upper House to see him qualified. They return and acquaint M.<sup>r</sup> Speaker they saw him qualified in the usual Manner. The Gentleman took his Seat in the House

The Petition of Robert Dick, Richard Henderson, Daniel Stephenson, James Brown and Robert Peter which was referred last Session was now read and ordered to lie on the Table.

M.<sup>r</sup> Wright brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled an Act to repeal Part of an Act to encourage the destroying of Wolves Crows and Squirrels in Queen Ann's County

Also a Bill entitled An Act for empowering the Justices of Queen Ann's and Talbot Counties to assess on the Taxable Inhabitants of Saint Paul's Parish in the said Counties the Sums of Tobacco therein mentioned for building a Church and repairing the Chapel

in the said Parish Which were severally read the first Time and ordered to lie on the Table

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M.<sup>r</sup> Ringgold brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled an Act for raising Pence Sterling on every Hogsheaf of Tobacco exported out of this Province for the Support of an Agent at London for the Service of this Province. Which was read the first Time and ordered to lie on the Table

M.<sup>r</sup> Joseph Dashiell brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled an Act to empower the Justices of Somerset and Worcester Counties to levy on the taxable Inhabitants of Stepney Parish in said Counties the Quantity of Eighty thousand Pounds of Tobacco for the Uses therein mentioned Which was read the first Time and ordered to lie on the Table

John Beale Bordley and George Steuart Esquires from the Upper House acquaint M.<sup>r</sup> Speaker that his Excellency requires the Attendance of this House, in the Upper House immediately.

M.<sup>r</sup> Speaker left the Chair, and (with the rest of the Members of this House) went to the Upper House, and there presented to his Excellency the following ingrossed Bills Viz.<sup>t</sup>

An Act directing the Sale of the Lands of Richard Heard late of Saint Mary's County deceased for the Payment of the Debts of the said Richard Heard

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An Act to enable the Justices of Somerset County to levy on the taxable Inhabitants of Somerset Parish in the said County a Quantity of Tobacco for the Purposes therein mentioned

An Act abolishing June County Courts and for other Purposes therein mentioned

An Act for the Adjournment and Continuance of the high Court of Appeals and for the Adjournment of the Provincial Court and other Purposes therein mentioned

An Act to invest John Clayton with an exclusive Privilege and Benefit of making and selling a Machine for threshing of Wheat on a Model by him invented

An Act to give Thomas Harrison further Time to effect the Removal of a Nuisance in Baltimore Town in Baltimore County

All which his Excellency past into Laws in the usual Form

M.<sup>r</sup> Speaker (with the rest of the Members) returned and resumed the Chair

The Petition of sundry the Inhabitants of Worcester and Somerset Counties relative to the free-Schools in those Counties read a second Time and granted

Leave given to bring in a Bill according to the Prayer of the Petition

Ordered, that M.<sup>r</sup> Chase, M.<sup>r</sup> Ringgold, M.<sup>r</sup> Allen, M.<sup>r</sup> Dashiell,

L. H. J. M.<sup>r</sup> Dickinson, M.<sup>r</sup> Mackall, M.<sup>r</sup> J. Hall and M.<sup>r</sup> N. Thomas do  
 Liber No. 54 prepare and bring in the same  
 Oct. 18 The House adjourns till To-morrow Morning Eight O'Clock

Oct. 19

Friday 19:<sup>th</sup> October 1770

The House met according to Adjournment

The Members were called and all appeared as on Yesterday

The Proceedings of Yesterday were read—

M.<sup>r</sup> Hooper, M.<sup>r</sup> Noel, and M.<sup>r</sup> Aquila Hall appeared in the House

The Bill entitled An Act empowering the Justices of Queen Ann's and Talbot Counties to assess the taxable Inhabitants of Saint Paul's Parish in the said Counties the Sums of Tobacco therein mentioned for building a Church and repairing the Chapel in the said Parish Read a second Time and Will Pass—Sent to the Upper House by M.<sup>r</sup> Wright and M.<sup>r</sup> Hopper. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

M.<sup>r</sup> Wootton brings in and delivers to M.<sup>r</sup> Speaker the Petition of the Freeholders and Inhabitants of Prince George's Parish in Frederick and Prince George's Counties praying for an immediate Division of the said Parish. Which was read the first and second Time & rejected

p. 109 M.<sup>r</sup> Eden brings in and delivers to M.<sup>r</sup> Speaker the Petition of Zachariah Bond youngest of Saint Mary's County praying to be heard on the Petition of John Horrell against being relieved from his Imprisonment and that a Day may be appointed for a Hearing and Subpoenas issued for Witnesses Which was read the first Time and ordered to lie on the Table

The Bill entitled an Act to empower the Justices of Somerset and Worcester Counties to levy on the taxable Inhabitants of Stepney Parish in said Counties the Quantity of Eighty thousand Pounds of Tobacco for the Uses therein mentioned Read a second Time and will pass—Sent to the Upper House by M.<sup>r</sup> Allen and M.<sup>r</sup> Selby. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

The Petition of Zachariah Bond was read a second Time

Ordered, That a Hearing be had on the Petition of John Horrell on Monday the twenty ninth Instant and that Subpoenas issue for the Persons mentioned in the Petition of Zachariah Bond returnable to that Day

Ordered, That Subpoena issue for John Briscoe, Merchant, to appear at the Bar of this House on Monday the twenty ninth Instant to testify on Behalf of John Horrell

M.<sup>r</sup> Goldsborough from the Committee of Accounts brings in and delivers to M.<sup>r</sup> Speaker the Account of Col.<sup>o</sup> Charles Hammond Treasurer of the Western Shore



John Ridout Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Bill entitled an Act for empowering the Justices of Queen Ann's and Talbot Counties to levy on the taxable Inhabitants of Saint Paul's Parish in the said Counties therein mentioned for building a Church and repairing the Chappel in the said Parish

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The Bill entitled an Act to empower the Justices of Somerset and Worcester Counties to levy on the taxable Inhabitants of Stepney Parish in said Counties the Quantity of Eighty thousand Pounds of Tobacco for the Uses therein mentioned severally indorsed. "By the Upper House of Assembly October 19.<sup>th</sup> 1770 Read the first and second Time by an especial Order and will pass

Signed by Order U Scott Cl. Up. Ho."

The Bill entitled an Act to oblige the several County Clerks to have with them on their Office Days the four last Courts Docketts and Papers. And

The Bill entitled an Act to remedy a Defect in the Title of Bartholomew Pomeroy of London Merchant to a Tract or Parcel of Land called Rencher's Adventure lying in Prince George's County severally indorsed "By the Upper House of Assembly 18<sup>th</sup> October 1770 Read the first Time and ordered to lie on the Table.

Signed by Order U Scott Cl Up Ho."

And thus "By the Upper House of Assembly October 19.<sup>th</sup> 1770 Read the second Time and will pass

Signed by Order U Scott Cl: Up: Ho."

Which Bills were severally read here with the Indorsements and past for ingrossing

M.<sup>r</sup> Ringgold brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled an Act to impose a further Duty on Negroes imported into this Province and for the better Support of County Schools. Which was read the first Time and ordered to lie on the Table—

On Motion, Leave given to bring in a Bill for the Relief of certain languishing Prisoners in the several Jails therein mentioned—

Ordered, That M.<sup>r</sup> Ringgold, M.<sup>r</sup> Chase, M.<sup>r</sup> Gantt, M.<sup>r</sup> Harrison, p. 110 and M.<sup>r</sup> Deye do prepare and bring in the same

The Order of the Day for taking into Consideration the Matter recommended in his Excellency's Speech relative to the State of the Criminal Law being read

Ordered, That M.<sup>r</sup> Chase, M.<sup>r</sup> J. Hall, M.<sup>r</sup> W. Paca, M.<sup>r</sup> Ringgold, M.<sup>r</sup> N. Thomas, M.<sup>r</sup> Allen, M.<sup>r</sup> Tilghman, M.<sup>r</sup> Worthington, and M.<sup>r</sup> Hooper be a Committee to consider the same and report their Opinion thereon to the House. And they have Power to send for Persons, Papers and Records

M.<sup>r</sup> Smallwood hath Leave of Absence till Monday next



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The Order of the Day for taking into Consideration the several Papers communicated by his Excellency being read Ordered, That Lord Botetourt's Letter be read and the same was read accordingly

Upon reading the Order of the Day relative to that Part of the Governor's Speech recommending to this Province to join the Colony of Virginia in erecting and supporting a Light House upon Cape Henry the Matter was taken into Consideration and the House came to the following Resolutions

Resolved, That the erecting and supporting a Light House upon Cape Henry will be of great Utility in securing the Trade of the Colony of Virginia and of this Province

Resolved, That whenever this House shall be informed of any Plan proposed by the Colony of Virginia for such Building and an Estimate of the Expence thereof they will take such Plan and Estimate into Consideration and join the said Colony in erecting and supporting such Building so far as it may be judged reasonable for this Province to concur therein

Resolved, That the Speaker of the House of Burgesses of Virginia be requested to inform this House of the exact Quantity of the Tonnage of all Vessels as well Country Bottoms as others entering and trading into the several Ports and Places within that Colony from any other Colony or Place except this Province and that the Governor be addressed to order to be laid before this House an exact Account of the Quantity of Tonnage of all Vessels as well Country Bottoms as others entering and trading into this Province from any Colony or Place other than Virginia that the same may be transmitted to the House of Burgesses of that Colony

Ordered, That M.<sup>r</sup> Speaker inclose a Copy of these Resolutions to the Speaker of the House of Burgesses of Virginia and request him to lay the same before that House at their next Meeting

George Steuart Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Petition of Nehemiah Tilghman and Solomon Townsend, and the Petition of Isaac Murray together with several other Papers—Which were ordered to lie on the Table

M.<sup>r</sup> Gale hath Leave of Absence

p. III Ordered, That the several Papers communicated by his Excellency relative to Indian Affairs be read; and the same were read accordingly

Upon reading the Papers relative to Indian Affairs laid before this House by the Governor at the Opening of this Session the same were taken into Consideration and the House came to the following Resolution

Resolved, That this House not having received a direct Notification of his Majesty's gracious Intentions to commit the Regulation and Management of the Indian Trade to the Colonies and judging

this Province not to be immediately interested therein do not esteem it necessary to appoint Commissioners to attend a general Meeting on that Subject

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Ordered, That M.<sup>r</sup> Ringgold, M.<sup>r</sup> J. Hall, M.<sup>r</sup> Chase, M.<sup>r</sup> Dickinson, M.<sup>r</sup> W. Paca & M.<sup>r</sup> Tilghman do prepare and bring in the Address to his Excellency relative to the several Papers communicated by him at the Opening this Session

M.<sup>r</sup> Ringgold and M.<sup>r</sup> Wootton have Leave of Absence till Monday next

The House adjourns till To-morrow Morning Eight O'Clock

Saturday 20.<sup>th</sup> October 1770

Oct. 20

The House met according to Adjournment—

The Members were called and all appeared as on Yesterday except M.<sup>r</sup> Ringgold and M.<sup>r</sup> Wootton

The Proceedings of Yesterday were read

The Petitions delivered to M.<sup>r</sup> Speaker Yesterday by George Steuart Esq were read and ordered to lie on the Table

The Order of the Day for taking into Consideration the Petition of the subscribing Inhabitants of Baltimore County to the Upper House of Assembly being read; the Serjeant at Arms returned the Order of this House of the 13.<sup>th</sup> Instant thus indorsed "I hereby depute Philip Meroney to serve the within Precept Witness my Hand this fifteenth Day of October 1770

Robert Saunders Ser.<sup>t</sup> at Arms"

"Cepi Robert Alexander, James Sterrett, John Smith, John Purviance, Jacob Myers, John Hart William Spear Doctor Weisenthall, Tho.<sup>s</sup> Jones.

Philip Meroney."

"N. E. Samuel Owings, Benjamin Rogers, Jon.<sup>a</sup> Plowman, Richard Moale, Charles Ridgely, Wm. Ottey, John Dodge, Doctor Boyd.

Philip Meroney"

Ordered, That the said Petition, and the Resolves of this House, upon the same, be read, and the same were read accordingly

The House being informed, that M.<sup>r</sup> John Smith, M.<sup>r</sup> John Purviance, and M.<sup>r</sup> James Sterrett were attending at the Door, in Obedience to the Order of this House on Saturday last

Ordered, That they be called in; and they appeared accordingly

Ordered, That the said Petition and the Resolve of the House upon the same be read; and they were read accordingly

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p. 112

Then M.<sup>r</sup> John Smith being called upon appeared and alledged that he never signed the said Petition or was privy or assenting to the same; and that he was at Carlisle, in Pennsylvania, at the Time he understood the Petition was signed and then he was ordered to withdraw

M.<sup>r</sup> John Purviance being called upon, appeared, and alledged, that he never signed the said Petition or was privy or assenting to the same. And then he was ordered to withdraw.

M.<sup>r</sup> James Sterrett being called upon appeared, and alledged, that when ill in Bed, M.<sup>rs</sup> Sterrett informed him, that M.<sup>r</sup> Jones and some Gentlemen, were waiting upon him to sign a Petition to the Governor and Assembly relating to the Election of Baltimore County: That upon being told by M.<sup>rs</sup> Sterrett, that the Gentlemen attending, informed her, that all the Gentlemen in Town were subscribing the said Petition, he then told M.<sup>rs</sup> Sterrett, that the Gentlemen attending might put his Name to the same; but that he never saw the said Petition, or was acquainted with the Language thereof, or was otherwise privy or assenting to the same. And then he was ordered to withdraw

Then the House came to the following Resolutions

Resolved, That M.<sup>r</sup> John Smith has given sufficient Satisfaction to this House, that he did not sign the said Petition, or was privy or assenting to the same.

Resolved, That M.<sup>r</sup> John Smith misbehaved himself to the Officer of this House at the Time of the Sérvise of the Order on him, and that therefor he be reprimanded

Ordered, That M.<sup>r</sup> Speaker reprimand him. M.<sup>r</sup> Speaker reprimanded him accordingly

Ordered, That he be discharged; and that M.<sup>r</sup> Speaker acquaint him therewith

Resolved, That M.<sup>r</sup> John Purviance has given sufficient Satisfaction to this House that he did not sign the said Petition or was privy or assenting to the same

Ordered, That he be discharged

Resolved, That M.<sup>r</sup> James Sterritt has given sufficient Satisfaction to this House that he did not sign the said Petition.

Ordered, That he be discharged

M.<sup>r</sup> Speaker communicated to the House a Letter, to him directed, which was ordered to be read; and the same was read accordingly, and is as follows.

“Sir,

An Officer of the Lower House of Assembly the other Day summoned sundry Gentlemen of this Town to appear before that House to answer as he said, a Petition preferred to the Upper House of

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Assembly at the last Sessions. As we presume the Petition referred to is one that was signed by the Inhabitants of this County and presented to the Upper House against a Petition and Bill there depending for the dividing the general Election: We take the Liberty of requesting you to assure the Honourable House that no Reflection or Indignity whatever was intended, on the Conduct of the House by that Petition: That whatever exceptionable Expressions are contained therein were rather the Effect of Inadvertency and Hurry, than of any premeditated Design, to insult the House, whose Conduct and Readiness to enact such Laws, for the Improvement and Advantage of Baltimore Town as were applied for merited the Thanks of every Inhabitant of the same. We flatter ourselves, the House will accept this Apology, for our Conduct, and excuse our Personal Attendance which we omit, not from Disrespect, to the Process of the House, but from the inconveniency of such Numbers as signed that Petition being absent from their respective Homes—

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We are, with Respect for the Honble House.

Sir, Your Most Obed.<sup>t</sup> Servants

Baltimore Town 18<sup>th</sup> Octo.<sup>r</sup> 1770.  
To the Honble Edward Tilghman, Esq.  
Speaker of the Lo. Ho. Annapolis.

Rob.<sup>t</sup> Alexander  
W.<sup>m</sup> Spear  
Jacob Myers  
John Hart  
C. Weisenthal  
Tho.<sup>s</sup> Jones

On reading a second Time the said Letter, Resolved, That this House, on Order to attach the Body, will receive no Apology by Letter, and that the Subscribers of the above Letter are guilty of a Contempt of the Order of this House in not appearing

Ordered, That the Serjeant at Arms attending this House do forthwith take into his Custody the Bodies of Robert Alexander, William Spear, Jacob Myers, John Hart, Charles Weisenthal, and Thomas Jones, and have them immediately at the Bar of this House, to answer at the Bar of this House for a certain false and scandalous Petition, signed by them, and preferred to the Upper House of Assembly at the last Session of Assembly, reflecting on the Honour, Justice and Impartiality of this House, and highly derogatory of its Rights and Privileges; and also to answer for their Contempt in not obeying the former Order of this House, dated the 13.<sup>th</sup> Instant.

Ordered, That the Serjeant at Arms do forthwith take into his Custody the Bodies of Samuel Owings, jun.<sup>r</sup>, Benjamin Rogers, Jonathan Plowman, Richard Moale, Charles Ridgely, William Ottey, John Dodge and John Boyd, and have them immediately at the Bar of this House to answer at the Bar of this House, for a certain false and scandalous Petition, signed by them, and preferred to the Upper House of Assembly at the last Session of Assembly, reflecting



L. H. J. on the Honour, Justice and Impartiality of this House and highly  
Liber No. 54 derogatory of its Rights and Privileges  
Oct. 20

Philip Meroney, the Person deputed by the Serjeant at Arms to serve the Order of this House, of the thirteenth Instant being called upon to give this House an Account of the Conduct of the Persons on whom he served the same, acquainted the House, that Mess.<sup>rs</sup> Robert Alexander and Thomas Jones, at the Time of serving the Order, told him that they would attend the House, if it suited them, but they did not know whether they would or not, and they, tho' repeatedly requested by him, would not satisfy him whether they would attend.

Resolved, That the said Robert Alexander and Thomas Jones, are guilty of a Breach of the Privilege of this House, and Contempt against the same, by their Answer to the Officer deputed by the Serjeant at Arms to serve the Order of this House of the 13.<sup>th</sup> of October 1770

Ordered, That the Serjeant at Arms, attending this House, do forthwith take into his Custody the Bodies of Robert Alexander and Thomas Jones and have them immediately at the Bar of this House, to answer a Breach of the Privilege of this House, and Contempt against the same, by their Answer to the Officer deputed by the Serjeant at Arms, to serve the Order of this House of the 13.<sup>th</sup> of October 1770.

p. 114 William Hayward, Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Petition of Francis Baker of Cecil County, praying that Part of the Lands of Henry Baker, late of Cecil County, deceased, might be sold for the Payment of the Debts of the said Henry Baker. Which was read.

Ordered, That the said Petition be referred to the Consideration of a Committee, and that they do examine the Matter thereof, and report the same, as it shall appear to them, to the House. And M.<sup>r</sup> N. Thomas, M.<sup>r</sup> Tilghman, M.<sup>r</sup> Ward and M.<sup>r</sup> Gilpin are appointed a Committee accordingly and they have Power to send for Persons, Papers and Records.

On reading a second Time the Petition of Nehemiah Tilghman and Solomon Townsend, Ordered, That the said Petition be referred to the Consideration of a Committee, and that they do examine the Matter thereof, and report the same, as it shall appear to them, to the House. And M.<sup>r</sup> Allen, M.<sup>r</sup> Hooper, and M.<sup>r</sup> Dashiell are appointed a Committee accordingly. And they have Power to send for Persons, Papers and Records

M.<sup>r</sup> Deye and M.<sup>r</sup> Contee have Leave of Absence till Monday next  
M.<sup>r</sup> Key hath Leave of Absence.

The House adjourns till Monday Morning Eight O'Clock



Monday 22:<sup>d</sup> October 1770

L. H. J.  
Liber No. 54  
Oct. 22

The House met according to Adjournment.

The Members were called and all appeared as on Saturday except M.<sup>r</sup> Gantt, M.<sup>r</sup> Contee, M.<sup>r</sup> Deye and M.<sup>r</sup> Key.

The Proceedings of Saturday were read.

M.<sup>r</sup> Johnson and M.<sup>r</sup> Wootton appeared in the House

M.<sup>r</sup> Speaker communicated to the House a Letter, to him directed, signed C. Weisenthal, Which was ordered to be read; and it was read accordingly; and is as followeth

Honble Sir,

I was ordered to appear on Saturday next at the Barr of the Honble the Lower House of Assembly there to answer my signing a certain Petition & :<sup>ta</sup> I am however extreemly sorry that it is out of my Power to shew my ready Obedience to the Comands of the hble House since my Absence from Town for the present might prove fatal to several Patients now dangerously ill in this Town. Therefore whatever Displeasure I may have had the Misfortune to incur, I can assure the whole House that I am to this Moment quite ignorant of the Contents of the said Petition having never had Time especially at the Time of Signature to read it, on Account of the Hurry. I am no leading Man of this Town, and it was a mere Accident that I signed it at all. As a Doctor I was desired by the Town to have my Deposition taken concerning the Small Pox then under my Hands, and this was the Motive which brought me into this Town Meeting. After the finishing of this Business the Petition was laid before me for signing, there, seeing so many respectable Names before me already signed and such Names of whom I as a Foreigner, must suppose that they know what ought to be done as they are Natives of this Country. If then I have, without Intention, and even without knowing it, done amiss, I most humbly make my Submission and beg the Honble House to overlook the Offense on the above recited Accounts

I am, with all due Respect Honble Sir,

To the Honble Edward Tilgh-	Y. <sup>r</sup> Mo. Obed. <sup>t</sup> Hble Serv. <sup>t</sup>
man Esq Speaker of the	C. Weisenthal
Honble the House of As-	Balt. Town Octo. 18. <sup>th</sup> 1770
sembly in Annapolis	

M.<sup>r</sup> Tilghman brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled p. 115  
an Act for issuing Writs of Replevin out of the County Courts of  
this Province; which was read the first Time and ordered to lie on  
the Table

M.<sup>r</sup> Chase brings in and delivers to M.<sup>r</sup> Speaker an Address to his  
Excellency; which was read, approved, and ordered to be ingrossed

William Hayward Esq from the Upper House delivers to M.<sup>r</sup>

L. H. J. Speaker the Bill entitled an Act for amending the Staple of Tobacco  
 Liber No. 54 for preventing Frauds in his Majesty's Customs and for the Regu-  
 Oct. 22 lation of Officers fees; thus indorsed. "By the Upper House of  
 Assembly 17:<sup>th</sup> October 1770 Read the first Time and ordered to  
 lie on the Table.

Signed by Order U Scott Cl. Up. Ho"

"By the Upper House of Assembly 22<sup>d</sup> October 1770 Read the  
 second Time & will not pass

Signed by Order U Scott Cl. Up. Ho."

And the following Message

By the Upper House of Assembly 22:<sup>nd</sup> of October 1770  
 Gentlemen,

We have returned the Bill entituled An Act for Amending the  
 Staple of Tobacco . . . [*The message beginning thus is printed in  
 full in the Upper House Journal, pp. 187-188*]

Which was read the first and second Time and unanimously dis-  
 agreed to.

M.<sup>r</sup> J. Hall brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled  
 An Act for the speedy and effectual Publication of the Laws of this  
 Province, and for the Encouragement of Ann Catharine Green of  
 the City of Annapolis Printer. Which was read the first Time and  
 ordered to lie on the Table.

p. 116 William Fitzhugh, Esq from the Upper House delivers to M.<sup>r</sup>  
 Speaker the Petition of sundry the Inhabitants of Queen Ann  
 Parish in Prince George's County praying that a Quantity of Tobacco  
 may be levied on the taxable Inhabitants of said Parish for building  
 a new Church thus indorsed "By the Upper House of Assembly 22:<sup>d</sup>  
 October 1770 Read and referred to the Consideration of the Lower  
 House of Assembly

Signed by Order U Scott Cl. Up. Ho."

Which was read and granted. Leave given to bring in a Bill  
 according to the Prayer of the Petition.

Ordered, That M.<sup>r</sup> Tyler, M.<sup>r</sup> Grahame, M.<sup>r</sup> Allen, M.<sup>r</sup> Mackall  
 and M.<sup>r</sup> N. Thomas do prepare and bring in the same

The House adjourns till To-morrow Morning Eight O'Clock

Oct. 23

Tuesday 23:<sup>d</sup> October 1770

The House met according to Adjournment.

, The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read.

The ingrossed Bills N.<sup>o</sup> 8, 9, 10, 11, with the Paper Bills thereof

sent to the Upper House by M.<sup>r</sup> Hopper and M.<sup>r</sup> Wright. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bills

L. H. J.  
Liber No. 54  
Oct. 23

M.<sup>r</sup> Allen brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled An Act to unite the free-Schools of Somerset and Worcester Counties—Which was read the first and second Time by an especial Order and will pass—Sent to the Upper House by M.<sup>r</sup> Allen and M.<sup>r</sup> Steele—

They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

M.<sup>r</sup> Steele brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled An Act to enable the Justices of Dorchester County Court to assess and levy on the taxable Inhabitants of the said County a Quantity of Tobacco for the Purpose of building a Court-House Which was read the first and second Time by an especial Order and will pass. Sent to the Upper House by M.<sup>r</sup> Allen and M.<sup>r</sup> Steele. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

M.<sup>r</sup> Heugh, M.<sup>r</sup> Gantt, M.<sup>r</sup> Deye, M.<sup>r</sup> Ringgold, M.<sup>r</sup> Buchanan and M.<sup>r</sup> Beall appeared in the House.

On Motion, Leave given to bring in a Bill for regulating Lawyers fees and for other Purposes therein mentioned.

Ordered, That M.<sup>r</sup> John Hall, M.<sup>r</sup> Johnson, M.<sup>r</sup> Chase, M.<sup>r</sup> N. Thomas, M.<sup>r</sup> Mackall, M.<sup>r</sup> W. Paca, M.<sup>r</sup> Allen, M.<sup>r</sup> Worthington, M.<sup>r</sup> Tilghman, M.<sup>r</sup> Hooper and M.<sup>r</sup> Ringgold do prepare and bring in the same.

M.<sup>r</sup> Tilghman brings in and delivers to M.<sup>r</sup> Speaker the following ingrossed Address.

To his Excellency Robert Eden, Esq Governor and Commander in Chief in and over the Province of Maryland

The humble Address of the House of Delegates

May it please your Excellency,

The close Attention given to the Bill for amending the Staple of Tobacco has necessarily delayed our taking into Consideration the several Matters recommended to Us by your Excellency at the Opening of this Session—

We have now appointed a Committee to look into the State of the Criminal Law and report their Opinion to this House—Your Excellency will perceive by several Resolutions, a Copy of which is herewith presented, the Sense of this House on the other Matters recommended by your Excellency to our Consideration, and that we judge it necessary, before any Thing can be finally concluded respecting a Light-House, in Order to apportion the Expence, that the Quantity of Tonnage of all Vessels in each Province should be ascertained and transmitted to each respectively; We therefore request your Excellency will be pleased to order to be laid before this House an exact Account of the Quantity of Tonnage of all Vessels, as well

p. 117

L. H. J. Country Bottoms as others entering and trading into this Province  
 Liber No. 54 from any Colony or Place other than Virginia, that the same may  
 Oct. 23 be transmitted to the House of Burgesses of that Colony. Which  
 was read and assented to and signed by Order of the House by the  
 Honourable Speaker.

Ordered, That M.<sup>r</sup> W. Paca, and M.<sup>r</sup> Mackall do acquaint his Excellency that this House hath prepared an Address to be presented to him, and desires to know when and where he will be pleased to receive it—They return and acquaint M.<sup>r</sup> Speaker that the Governor was pleased to signify he would receive the Address in a few Minutes in the Conference Chamber

Ordered, That M.<sup>r</sup> Chase and M.<sup>r</sup> Tilghman do present the Address to his Excellency They return and acquaint M.<sup>r</sup> Speaker they delivered the Address, with a Copy of the Resolves therein mentioned, to his Excellency.

William Fitzhugh Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Bill entitled An Act for the Tryal of all Matters of ffact in the several Counties where they have arisen or shall arise thus indorsed “By the Upper House of Assembly October 18.<sup>th</sup> 1770 Read the first Time and ordered to lie on the Table

Signed by Order U Scott Cl. Up. Ho.”

“By the Upper House of Assembly October 23.<sup>d</sup> 1770 Read the second Time and will not pass

Signed by Order U Scott Cl. Up. Ho.”

William Hayward Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Paper Bills N.<sup>o</sup> 8, 9, 10, 11, severally indorsed “By the Upper House of Assembly 23.<sup>d</sup> October 1770 The ingrossed Bill whereof this is the Original read and assented to

Signed by Order U Scott Cl. Up. Ho.”

M.<sup>r</sup> N. Thomas brings in and delivers to M.<sup>r</sup> Speaker the following Report

By the Committee appointed to inspect into the ffacts set forth in the Petition of Francis Baker

Your Committee find by an authenticated Copy of the last Will and Testament of Henry Baker that the same was executed the 24.<sup>th</sup> Day of June 1768. That in the said Will is contained the Paragraph as set forth in the said Petition. That Henry Baker constituted, by the said Will, Jeremiah Baker to be his sole Executor. That the said Jeremiah Baker renounced the Executorship; and that Letters of Administration with the Will annexed were granted to the said Petitioner. That the said Petitioner appraised the Estate of the said Henry and returned an Inventory thereof, with a List of sperate and desperate Debts into the Prerogative Office. The said Inventory

amounting to £707..4..7. The sperate Debts to £199..4..8 $\frac{1}{4}$  out of which that the said Francis Baker hath disbursed £692..17..7 as appears to your Committee by an Account allowed by the Commissary General. That there is a List of desperate Debts returned by the said Administrator amounting to £2815..6..1 Currency, out of which from the Information of one of your Committee not more than £150 will probably be re[covered] That the Claims against the Estate by Judgments, Obligations, Notes, and otherwise, remaining unpaid, amount to £2142..12..10 as appears to your Committee by the Oath of the Petitioner indorsed upon a List of the said Debts.

L. H. J.  
Liber No. 54  
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That Samuel, the Son of Francis, the Petitioner, and Henry the Son of Henry, the Testator, are Infants; and that Jeremiah Baker, Son of said Henry Baker, who is of full Age, hath consented, by writing under his Hand, that all the Residue of the Lands included in the Paragraph of the Will set forth in the Petition as aforesaid, shall be sold.

Signed per Order Ralph Dobinson Cl. Com :

Which was read; and the Petition of Francis Baker was read a second Time

Leave given to the Petitioner to bring in a Bill according to the Prayer of the Petition

Walter Dulany, Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Bill entitled An Act to unite the ffree Schools of Somerset and Worcester Counties—And The Bill entitled An Act to enable the Justices of Dorchester County Court to assess and levy on the taxable Inhabitants of the said County a Quantity of Tobacco for the Purpose of building a Court House—severally indorsed “By the Upper House of Assembly October 23.<sup>d</sup> 1770 Read the first and second Time by an especial Order and will pass.

Signed by Order U Scott Cl. Up. Ho.”

Which Bills were read here and past for ingrossing

M.<sup>r</sup> W. Paca brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled An Act to hold the Election of Representatives for Baltimore County at the Places therein mentioned—Which was read the first and second Time by an especial Order and will pass. Sent to the Upper House by M.<sup>r</sup> Aquila Hall and M.<sup>r</sup> Matthews. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill.

William ffitzhugh and William Hayward Esquires from the Upper House acquaint M.<sup>r</sup> Speaker that the Governor requires the Attendance of this House immediately in the Upper House.

M.<sup>r</sup> Speaker left the Chair, and (with the rest of the Members of this House) went to the Upper House, and there presented to his Excellency the following ingrossed Bills Viz.<sup>t</sup>

An Act to impower the Justices of Somerset and Worcester



L. H. J. Counties to levy on the taxable Inhabitants of Stepney Parish in  
Liber No. 54 said Counties the Quantity of Eighty thousand Pounds of Tobacco  
Oct. 23 for the Uses therein mentioned.

An Act for empowering the Justices of Queen Ann's and Talbot Counties to assess the taxable Inhabitants of Saint Paul's Parish in the said Counties the Sums of Tobacco therein mentioned for building a Church and repairing the Chapel in the said Parish

An Act to oblige the several County Clerks to have with them on their Office Days the four last Courts Dockets and Papers. And

An Act to remedy a Defect in the Title of Bartholomew Pomeroy of London Merchant to a Tract or Parcel of Land called Rencher's Adventure, lying in Prince George's County

All which his Excellency past into Laws in the usual Manner

M.<sup>r</sup> Speaker (with the rest of the Members) returned and resumed the Chair

His Excellency communicated to M.<sup>r</sup> Speaker the following Message

23:<sup>d</sup> Octob.<sup>r</sup> 1770

Gentlemen,

p. 119 From the Urgency of the Business you had before you, I could not expect your taking the Matters recommended to you into Consideration sooner than you have now done.

I am obliged to you for the Copy of your Resolutions, and your Appointment of a Committee to look into the State of the Criminal Laws which cannot fail being acceptable to the Province. You shall have the most exact and earliest Account I can give you, to enable you to carry Your Design of joining the Virginians in erecting and supporting the Light House on Cape Henry into Execution

Rob.<sup>t</sup> Eden

M.<sup>r</sup> Luckett delivers to M.<sup>r</sup> Speaker the Petition of the Inhabitants of All Saints Parish in Frederick County praying for a Division of that Parish. Which was read and ordered to lie on the Table

M.<sup>r</sup> Heugh delivers to M.<sup>r</sup> Speaker the Petition of sundry the Inhabitants of Prince George's Parish lying partly in Frederick and partly in Prince George's County praying a Division thereof Which was read and ordered to lie on the Table

M.<sup>r</sup> Mackall brings in and delivers to M.<sup>r</sup> Speaker the following Report Viz.<sup>t</sup>

By the Committee appointed to examine into the Truth of the several facts alledged in the Petition of Abraham Barnes of Saint Mary's County

In Obedience to the Order of the Honble House your Committee have examined into the Truth of the said facts and do find them as

follows Viz.<sup>t</sup> That on the tenth Day of January in the year sixteen hundred forty two the then Right Honourable the Lord Proprietary of this Province granted the Lands in the said Petition mentioned unto a certain Thomas Weston of Plymouth in New England and his Heirs: That the said Thomas Weston died leaving Issue, Elizabeth Weston his only Child and Heir at Law: That the said Elizabeth Weston married a certain Roger Conant of New England by whom she had Issue John Conant her Son and Heir at Law. That afterwards on or about the fifteenth Day of March seventeen hundred and thirty six the said John Conant the Son and Heir of the said Roger Conant & Elizabeth his Wife by a Writing on the Grant aforesaid purporting to be an Assignment for the Consideration of the natural Love and Affection which he had for his Kinsman Josiah Conant of Mansfield in the County of Windham and Colony of Connecticut in New England and also for the further Consideration of One thousand Pounds New England Money made over the said Lands to the said Josiah Conant; which said Writing does not appear to have been executed: That afterwards on or about the fourteenth Day of May seventeen hundred and thirty six the said John Conant by Deed properly executed and acknowledged in New England for the Consideration of natural Love and Affection and also for the further Consideration of One thousand Pounds New England Money conveyed the same Lands to the said Josiah Conant and his Heirs; who, by Virtue thereof, was in Possession of the said Lands: That the said Josiah Conant on or about the 28.<sup>th</sup> and 29.<sup>th</sup> of September 1737 leased the said Land to several Persons for and during the Term of fourteen Years: That the said Josiah Conant did by Deed bearing Date on or about the 9.<sup>th</sup> of November 1745 and acknowledged in Boston the 11.<sup>th</sup> Day of November 1745 for the Consideration of £2950 Boston Money convey the same Lands unto a certain William Thornton of Ann Arundel County and his Heirs; but that the Acknowledgment on the said Deed of Conveyance is not agreeable to the Act of Assembly of this Province relative to the Inrollment of Conveyances; and on the same 9.<sup>th</sup> of November 1745 the said Josiah Conant assigned over the said Leases unto the said William Thornton: That the said William Thornton on the 5.<sup>th</sup> of September 1747 by Deed properly executed acknowledged and recorded for the Consideration of £428..11..6 Sterling conveyed the same Land to the Petitioner and his Heirs—That the said Abraham Barnes the Petitioner for about twenty Years past hath been and now is in the actual and sole Possession of the said Lands under and by Virtue of the Conveyance aforesaid from the said William Thornton: That it does not appear whether the said Josiah Conant is dead with or without Heirs. All which is humbly submitted to the Consideration of the Honble House.

Signed per Order Ralph Dobinson Cl Com.

L. H. J.  
Liber No. 54  
Oct. 23

L. H. J.      Which was read a first and second Time. The Petition of Abra-  
Liber No. 54      ham Barnes was read a second Time and granted—Leave given  
Oct. 23      to the Petitioner to bring in a Bill agreeable to the Prayer of the  
p. 120      said Petition

The Bill entitled An Act to repeal Part of An Act to encourage the destroying of Wolves Crows and Squirrels read the second Time and will pass

The Order of the Day for taking into Consideration the Report from the Committee appointed to examine into the several public Offices and report the State and Condition thereof being read;

Ordered, That the said Report be read; and the same was read accordingly

The House was moved that an Act for repairing the Damages already sustained in the Records of the Land, Secretary's, Commissary's and County Court Offices, and for the Security of the same Records for the future made in the Year 1716 be read: And the same was read accordingly.

The House was moved that a Supplementary Act to the Act entitled An Act for the repairing the Damages already sustained in the Records of the Land, Secretary's, Commissary's and County Court Offices and for Security of the same Records for the future made in the Year 1742 be read: And the same was read accordingly

The House was moved that the Report of the Committee appointed to inspect into the State of the several publick Offices May 21.<sup>st</sup> 1766 be read; and the same was read accordingly

The House was moved that the Order of the 6.<sup>th</sup> of December 1766 be read; and the same was read accordingly

The House was moved that the Report made by the Committee appointed to inspect into the Records and Proceedings in the several publick Offices and to report the State and Condition thereof in June 1768 be read; and the same was read accordingly

The House was moved that the Order of the 21.<sup>st</sup> June 1768 be read; and the same was read accordingly

The House was moved that the Report of the Committee appointed to examine into the State of the several publick Offices at November Sessions 1769 be read; and the same was read accordingly

The House was moved that an Address to the Governor of the 27.<sup>th</sup> of May 1766 be read; and the same was read accordingly

Ordered, That the Committee appointed to inspect the several publick Offices &<sup>ia</sup> do enquire into the Records of the Bonds passed by the Secretary, Commissary General, and Register of the Land Office since 1742 and make Report thereof to the House

B. Calvert Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Bill entitled an Act to hold the Election of Representatives for

Baltimore County at the Places therein mentioned thus indorsed. L. H. J.  
"By the Upper House of Assembly October 23.<sup>d</sup> 1770 Read the Liber No. 54  
first and second Time by an especial Order and will not pass. Oct. 23

Signed by Order U Scott Cl. Up. Ho."

Daniel Dulany Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Petition of sundry the Inhabitants in and near ffredrick Town praying an Act may pass to establish a Market House in ffredrick Town. Which was read and ordered to lie on the Table

William Hayward Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Petition of Jane Brown of Cecil County praying an Act may pass to impower her to sell Part of the Lands of John Brown her deceased Husband for the Payment of the Debts of the said John Brown—Which was read and ordered to lie on the Table

On Motion, Leave given to bring in a Bill for more effectually p. 121  
preventing the buying and selling of Offices

Ordered, That M.<sup>r</sup> Tilghman, M.<sup>r</sup> Chase, M.<sup>r</sup> J. Hall, M.<sup>r</sup> Johnson, M.<sup>r</sup> W. Paca, and M.<sup>r</sup> Ringgold do prepare and bring in the same

The House referred the Order of the Day for taking into Consideration the Report from the Committee appointed to examine into the several publick Offices and report the State and Condition thereof for further Consideration To Morrow Morning

The Order of the Day for taking into Consideration the subject Matter of the Motion from the Committee of Accounts relative to the Treasurers Accounts being read; the same is referred for Consideration To morrow Morning

The House adjourns till To-Morrow Morning Eight O'Clock

Wednesday 24.<sup>th</sup> October 1770

Oct. 24

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read

The ingrossed Bill, entitled An Act to unite the ffree Schools of Somerset and Worcester Counties (with the Paper Bill thereof) sent to the Upper House by M.<sup>r</sup> Allen and M.<sup>r</sup> Dashiell—They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill.

The Bill entitled An Act for issuing Writs of Replevin out of the County Courts of this Province, read the second Time and will pass—Sent to the Upper House by M.<sup>r</sup> Johnson and M.<sup>r</sup> Tilghman—

They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

The Bill entitled An Act to repeal Part of an Act to encourage



L. H. J. the destroying of Wolves, Crows, and Squirrels; sent to the Upper  
 Liber No. 54 House by M.<sup>r</sup> Hopper and M.<sup>r</sup> Wright  
 Oct. 24

They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

On Motion, Leave given to bring in a Bill to divide Saint George's Parish in Baltimore County to take Place at the Death of the present Incumbent

Ordered, That M.<sup>r</sup> Aquila Hall, M.<sup>r</sup> J. Paca, M.<sup>r</sup> Matthews, M.<sup>r</sup> Deye and M.<sup>r</sup> W. Paca do prepare and bring in the same

M.<sup>r</sup> W. Thomas hath Leave of Absence on Account of his Indisposition

On a second Reading the Petition of Isaac Perkins; M.<sup>r</sup> Harrison, M.<sup>r</sup> Ringgold, M.<sup>r</sup> J. Paca, M.<sup>r</sup> Gilpin, M.<sup>r</sup> N. Thomas and M.<sup>r</sup> Buchanan, are appointed a Committee to inspect the said Machine and report their Opinion of the same to the House

The Petition of Chester Parish read a second Time, and granted. Leave given to bring in a Bill

Ordered, That M.<sup>r</sup> Ringgold, M.<sup>r</sup> Buchanan and M.<sup>r</sup> Gresham do prepare and bring in the same

The House was moved that the Report of the Committee of Grievances and Courts of Justice relative to the Clerk of Charles County, last Session, the Consideration of which was referred to this Session be read; and the same was read accordingly.

Ordered, That M.<sup>r</sup> Philip Richard Fendall, Clerk of Charles  
 p. 122 County do attend immediately at the Bar of this House to answer for illegal Charges of fees by him made; and that the Serjeant at Arms attending this House do forthwith serve the said Fendall with a Copy of this Order.

George Steuart Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Paper Bill entitled An Act to unite the free-Schools of Somerset and Worcester Counties, thus indorsed "By the Upper House of Assembly October 24<sup>th</sup> 1770 The ingrossed Bill whereof this is the Original read and assented to

Signed by Order U Scott Cl. Up. Ho."

M.<sup>r</sup> Tyler brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled An Act for the building a Parish Church in Queen Ann Parish in Prince George's County. Which was read the first and second Time by an especial Order and will pass. Sent to the Upper House by M.<sup>r</sup> Beall and M.<sup>r</sup> Tyler. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

M.<sup>r</sup> Allen brings in and delivers to M.<sup>r</sup> Speaker the following Report Viz.<sup>t</sup>

By the Committee appointed to examine into the Truth of the several ffacts set forth in the Petition of Nehemiah Tilghman and Solomon Townsend



In Obedience to the Order of the Honourable House your Committee have examined the said ffacts and do find them as follows Viz.<sup>t</sup> That Major Townsend the Obligor in the said Petition mentioned did on the third Day of November seventeen hundred and sixty six pass and execute his Bond to Stephen Revel in the said Petition mentioned in the Penalty of four hundred and six Pounds Current Money of Maryland for the conveying and assuring to the said Stephen Revell his Heirs Executors Administrators or Assigns upon Payment of the Consideration Money by the said Stephen Revell to the said Major Townsend one Tract or Parcel of Land being Part of a Tract of Land called Major's Security lying and being in Worcester County containing two hundred and three Acres of Land. That the said Stephen Revell by a Writing under his Hand and Seal and annexed to the Bond of the said Major Townsend did assign transfer and set over unto Nehemiah Tilghman one of your Petitioners his Heirs and Assigns all his Right Title and Interest of in and to the said Bond That the said Stephen Revell on the said third Day of November seventeen hundred and sixty six passed his Bond to the said Major Townsend in the Penalty of four hundred and six Pounds Current Money of Maryland Conditioned for the Payment of two hundred and three Pounds Current Money in Spanish Pistoles at twenty seven Shillings and Spanish milled Pieces of Eight at Seven Shillings and six Pence each at or upon the Wednesday in the first Week of March seventeen hundred and sixty seven in Consideration of the aforesaid Part of a Tract of Land so to be conveyed by the said Major Townsend to the said Stephen Revell as aforesaid That the said Sum of three Pounds Currency was paid on the Bond last aforesaid by the said Stephen Revell to the said Major Townsend. That the said Major Townsend on or about the first Day of March seventeen hundred and sixty seven died intestate leaving Issue James Townsend his only Son an Infant about seven Years of Age and a Daughter an Infant of the Age of about Years That the said Major Townsend at the Time of his Death was indebted unto Nehemiah King on Bond bearing Date the Eleventh Day of August seventeen hundred and fifty seven conditioned for the Payment of thirty Pounds Current Money and Interest unto Robert Jenckins Henry on Bond bearing Date the twenty second Day of June seventeen hundred and fifty nine conditioned for the Payment of seven pounds Eleven Shillings and six Pence One ffarthing Current Money and Interest And upon Information from one of your Committee unto John Atkinson on Bond in the Sum of twenty five Pounds Current Money and unto sundry Persons upon Accounts proved and delivered to one of your Petitioners, Solomon Townsend as Administrator of the said Major Townsend in the Sum of One hundred and ten Pounds seven Shillings and five Pence half Penny Current Money. That the

L. H. J.  
Liber No. 54  
Oct. 24

L. H. J. Personal Estate of the said Major Townsend amounted to no more  
 Liber No. 54 than the Sum of seventy five Pounds Nine Shillings and five Pence  
 Oct. 24 half Penny Currency as appears from the Inventory. That the  
 desperate Debts exclusive of the Sum due on Stephen Revell's Bond  
 as aforesaid amount unto the Sum of sixteen Pounds three Shillings  
 and five Pence. That Solomon Townsend, one of the Petitioners  
 is Guardian to James Townsend the Son and Heir of Major Town-  
 send deceased. All which is humbly submitted to the Consideration  
 of the Honourable House

Signed p Order Jn.<sup>o</sup> Johnson Cl. Com

The Petition of Nehemiah Tilghman and Solomon Townsend  
 read a second Time and granted Leave given to the Petitioners to  
 bring in a Bill agreeable to the Prayer of the Petition

On Motion, Ordered, That a Bill be brought in to enable the  
 Commissioners for emitting Bills of Credit to pay to John Duckett  
 and William Mills the Sums of Money therein mentioned.

Ordered, That M.<sup>r</sup> Grahame, M.<sup>r</sup> Goldsborough, and M.<sup>r</sup> Nicholas  
 Thomas do prepare and bring in the same.

M.<sup>r</sup> J. Hall brings in and delivers to M.<sup>r</sup> Speaker the following  
 Report

By the Committee appointed to examine into the State and Con-  
 dition of the several publick Offices and also to enquire into the  
 Records of the Bonds passed by the Secretary, Commissary General  
 and Register of the Land Office since the Year 1742

In Obedience to the Order of the Honourable House your Com-  
 mittee have examined the Records of the Bonds passed by the  
 Secretary, Commissary General, and Register of the Land Office,  
 and do find them as follows Viz.<sup>t</sup>

#### Secretary's Office

Edmund Jenings his Bond in	} 28. <sup>th</sup> Jañry 1742/3 . . . . .	[£] 3000
Provincial dated . . . . .		
Ditto's Bond in Chancery . . . . .	9 March 1742/3 . . . . .	1000
George Plater's Bond for Pro-	} 15 March 1755 . . . . .	3000
vincial . . . . .		
Do's Bond in Chancery . . . . .	D. <sup>o</sup> Date . . . . .	1000
George Steuart in Provincial . .	27. <sup>th</sup> May 1755 . . . . .	3000
Do's Bond in Chancery . . . . .	D. <sup>o</sup> Date . . . . .	1000
Benjamin Tasker in Provincial .	31. <sup>st</sup> Dec. <sup>r</sup> 1755 . . . . .	3000
Do's Bond in Chancery . . . . .	D. <sup>o</sup> Date . . . . .	1000
John Ridout in Provincial . . .	20. <sup>th</sup> Octo. <sup>r</sup> 1760 . . . . .	3000
Ditto's Bond in Chancery . . . .	22 Octo: 1760 . . . . .	1000
Daniel Dulany in Provincial . . .	22 June 1761 . . . . .	3000
Daniel Dulany in Chancery . . .	D. <sup>o</sup> Date . . . . .	1000

## Land Office

L. H. J.  
Liber No. 54  
Oct. 24

Philip Thomas dated.....	13. <sup>th</sup> March 1743.....	[£] 1000
Benjamin Young and Benjamin Tasker dated .....	17 May 1746.....	3000
Benjamin Young and George Steuart .....	4 Octo. 1751.....	3000
George Steuart and Benedict Calvert .....	27 May 1755.....	3000

## Commissary's Office

p. 124

Daniel Dulany dated.....	16. <sup>th</sup> October 1742.....	[£] 1000
Benjamin Tasker and Daniel Dulany .....	14. <sup>th</sup> Aug. <sup>t</sup> 1754.....	3000
Benjamin Tasker .....	17 Jañry 1756.....	1000
Daniel Dulany .....	2. <sup>d</sup> Jañry 1759.....	1000
John Ridout Esq.....	27. <sup>th</sup> June 1761.....	3000
Stephen Bordley .....	16 March 1762.....	3000
Charles Goldsborough .....	15 Dec. <sup>r</sup> 1764.....	3000
Walter Dulany .....	21 July 1767.....	3000

Your Committee have also examined the Conditions of said Bond and find them agreeable to the Act of Assembly made in the Year 1742 except the Conditions of two Bonds the One given by Benjamin Tasker 17.<sup>th</sup> Jañry 1756 the other given by Daniel Dulany 2.<sup>d</sup> Jañry 1759 which appear in the Words of the Act of 1716. Your Committee also observe that the Penalties of said last mentioned Bonds as also the Penalties of two other Bonds the one passed by Philip Thomas 13.<sup>th</sup> March 1743 the other by Daniel Dulany 16.<sup>th</sup> October 1742 are only 1000 Pounds instead of three thousand Pounds Current Money but that the Conditions of the two last mentioned Bonds are agreeable to the Act in 1742. All which is submitted to the Consideration of the Honble House

Signed p Order Ralph Dobinson Cl. Com.

M.<sup>r</sup> Ringgold brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled an Additional Supplementary Act to the Act entitled An Act for erecting a new Parish in Kent County called Chester Parish and for building a Parish Church and enlarging a Chapel of Ease within the said Parish Which was read the first and second Time by an especial Order and will pass

Sent to the Upper House by M.<sup>r</sup> Ringgold and M.<sup>r</sup> Buchanan. They return, and acquaint M.<sup>r</sup> Speaker they delivered the Bill

The Order of the Day for taking into Consideration the Subject Matter of the Motion from the Committee of Accounts relative to the Treasurers Accounts being read; the same is referred for Consideration on the second Day of next Session

L. H. J. Benedict Calvert Esq from the Upper House delivers to M.<sup>r</sup>  
 Liber No. 54 Speaker the Bill entitled An Act to repeal Part of an Act to encourage  
 Oct. 24 the destroying of Wolves Crows and Squirrels; And the Bill entitled  
 An Additional Supplementary Act to the Act entitled An Act for  
 erecting a new Parish Church in Kent County called Chester Parish  
 and for building a Parish Church and enlarging a Chapel of Ease  
 within the said Parish severally indorsed “By the Upper House of  
 Assembly 24.<sup>th</sup> October 1770 Read the first and second Time by  
 an especial Order and will pass

Signed by Order U Scott Cl. Up. Ho.”

Which Bills were read here and past for ingrossing

M.<sup>r</sup> Contee appeared in the House

The Order of the Day for taking into Consideration the Report  
 of the Committee appointed to examine the State and Condition of  
 the publick Offices &<sup>ta</sup> being read; the same is referred for further  
 Consideration on To-morrow Morning

The House adjourns till To-Morrow Morning Eight O’Clock

Oct. 25 Thursday 25.<sup>th</sup> October 1770

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read

p. 125 M.<sup>r</sup> Chase delivers to M.<sup>r</sup> Speaker the Petition of the Reverend  
 Bennett Allen, Rector of All Saints Parish in Frederick County  
 setting forth “That by the Expiration of the Inspection Law he will  
 be entituled to receive forty Pounds of Tobacco p Poll and that he is  
 willing by Composition with his Parishioners to receive for each  
 Taxable in his Parish the Sum of three Shillings and three Pence  
 Current Money of America or thirty Pounds of Tobacco on Con-  
 dition that if paid in Tobacco the Payment be made before the  
 tenth Day of June Yearly; and on Condition, that the Sheriff of  
 ffrederick County for the Time being be impowered and obliged to  
 collect the same by way of Execution for five per Cent for his  
 Trouble in collecting—And further that he is informed that it would  
 be agreable to his Parishioners, that the said Parish be divided into  
 three Parts; and as he apprehends no Division of a Parish can  
 legally take Place during a Plenarty without the Consent of the  
 Incumbent, he readily assents to a Law, that the Division of the  
 said Parish may take Place on his Decease. Which was read

Ordered, That the said Petition be taken into Consideration To-  
 Morrow Morning

The Order of the Day for taking into Consideration the Report  
 of the Committee appointed to examine the State and Condition of

the publick Offices &.<sup>ta</sup> being read; Resolved, That it is the Duty of the present Commissary General fairly to transcribe the General Alphabet in the Commissary's Office Resolved, also, That it is the Duty of the Commissary General to repair the particular Alphabets in the said Office, since the general Alphabet, and all Books now in his Office which are out of Repair

L. H. J.  
Liber No. 54  
Oct. 25

Ordered, That the Clerk of this House do deliver to the Commissary General a Copy of the above Resolves.

Ordered, That a further Consideration of the said Report be had To-Morrow Morning.

John Ridout, Esq<sup>o</sup> from the Upper House delivers to M.<sup>r</sup> Speaker the Bill entitled An Act for the building a Parish Church in Queen Ann Parish in Prince George's County thus indorsed "By the Upper House of Assembly 24.<sup>th</sup> October 1770 Read the first and second Time by an especial Order and will pass

Signed by Order U Scott Cl Up. Ho."

Which was read here and past for ingrossing

John Beale Bordley Esq<sup>o</sup> from the Upper House delivers to M.<sup>r</sup> Speaker the Petition of Daniel Bower of Baltimore County, praying that Frederick Beckerer may not be relieved from his Confinement; thus indorsed. "By the Upper House of Assembly Octo. 25.<sup>th</sup> 1770 Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order U Scott Cl. Up. Ho."

Which was read here and ordered to lie on the Table

The ingrossed Bills N.<sup>o</sup> 13, 14 and 15, read and assented to; and sent to the Upper House with the Paper Bills thereof by M.<sup>r</sup> Steele and M.<sup>r</sup> Buchanan. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bills

M.<sup>r</sup> Buchanan brings in and delivers to M.<sup>r</sup> Speaker the following Report

By the Committee appointed to inspect the Model of a threshing Machine mentioned in Isaac Perkins's Petition.

Your Committee beg Leave to inform the House that they have viewed the said Model and are of Opinion it is constructed on different Principles than the one exhibited by M.<sup>r</sup> John Clayton and that a Machine constructed on this Model appears likely to answer the End proposed and the Petitioner worthy of Encouragement. October 24.<sup>th</sup> 1770

Signed per Order Ralph Dobinson Cl

Which being read Leave is given to Isaac Perkins to bring in a Bill agreeable to the Prayer of his Petition

The Consideration of the Compass Bill &.<sup>ta</sup> is further referred till To-Morrow Morning



L. H. J. M.<sup>r</sup> Sulivane, M.<sup>r</sup> Matthews, M.<sup>r</sup> Selby and M.<sup>r</sup> Purnell have  
Liber No. 54 Leave of Absence  
Oct. 25 The House adjourns till To-Morrow Morning Eight O'Clock—

Oct. 26 Friday 26:<sup>th</sup> October 1770

p. 126 The House met according to Adjournment.

The Members were called and all appeared as on Yesterday except M.<sup>r</sup> Sulivane and M.<sup>r</sup> Matthews.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Steele hath Leave of Absence

Ordered, That the Clerk of the Secretary's Office do immediately attend at the Bar of this House with the Record Book in which the Commissions lately issued in that Office are recorded

Ordered, That the said Clerk be served with a Copy of the above Order

Benedict Calvert Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Petition of Benjamin Terry of Kent County praying the House to refer passing an Act to confirm the Land mentioned in the Petition of Jane Brown until he should have an Opportunity of laying before the House his Claim thereto. Which was read and ordered to lie on the Table.

William Hayward Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Petition of Samuel Smith of Ann Arundel County praying Relief from his Confinement. Which was read the first Time and ordered to lie on the Table

M.<sup>r</sup> Mackall brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled An Act to remedy a Defect in the Acknowledgment of a Conveyance from Josiah Conant to William Thornton. Which was read the first Time and ordered to lie on the Table

M.<sup>r</sup> Aquila Hall brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled An Act to divide Saint George's Parish in Baltimore County

M.<sup>r</sup> J Paca brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled An Act to divide Saint John's Parish in Baltimore County.

It appearing to this House, that M.<sup>r</sup> Parker Selby, a Member of this House for Worcester County by his own Acknowledgment hath this Day accepted of the Office of Sheriff of the said County his Seat is declared thereby to be void.

M.<sup>r</sup> Speaker is desired to acquaint M.<sup>r</sup> Selby that he is dismissed from any further Attendance; which he accordingly did

Ordered, That M.<sup>r</sup> Speaker do issue his Warrant to the Secretary of this Province, requiring him to make out a new Writ of Election directed to the Sheriff of Worcester County to elect a Delegate

to serve in this present General Assembly in the Room of M.<sup>r</sup> Parker Selby who hath accepted of the Office of Sheriff of that County.

L. H. J.  
Liber No. 54  
Oct. 26

Daniel Dulany Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Paper Bills N.<sup>o</sup> 12, 13, 14 severally indorsed "By the Upper House of Assembly October 26:<sup>th</sup> 1770 The Ingrossed Bill whereof this is the original read and assented to

Signed by Order U Scott Cl. Up. Ho."

On a second reading the Petition of Bennett Allen the Question was put that the said Petition be granted?

Resolved in the Negative

For the Negative

Mess. <sup>rs</sup>	{ Eden	N. Thomas	Contee	
	{ Buchanan	Hooper	Wright	
	{ Worthington	Steele	Hopper	
	{ Johnson	Noel	J. Paca	
	{ Griffith	Ward	Aq Hall	
	{ Mackall	Gilpin	Deye	
	{ Parran	Veazy	Allen	
	{ Grahame	J. Hall	Dashiell	
	{ Ware	W. Paca	Luckett	
	{ Harrison	Beall	Heugh	
	{ Courts	Tyler	Wootton	[33]

For the Affirmative

Mess. <sup>rs</sup>	{ Ringgold,	Gantt,	Tilghman,	
	{ Chase,	Goldsborough,	Dickinson.	[6]

The Order of the Day for taking into Consideration the Compass Bill being read the same is referred for Consideration To-Morrow Morning p. 127

The Report of the Committee appointed to inspect the several publick Offices &c.<sup>ta</sup> is further referred for Consideration till To-Morrow Morning.

The House adjourns till To-Morrow Morning Eight O'Clock

Saturday 27:<sup>th</sup> October 1770

Oct. 27

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday

The Proceedings of Yesterday were read

M.<sup>r</sup> Bordley and M.<sup>r</sup> Smallwood appeared in the House

L. H. J.  
Liber No. 54  
Oct. 27

M.<sup>r</sup> William Adams a Delegate returned to serve in this present Session of Assembly for Somerset County appeared in the House.

Ordered, That M.<sup>r</sup> Allen and M.<sup>r</sup> Dashiell do go with that Gentleman to the Upper House to see him qualified. They return and acquaint M.<sup>r</sup> Speaker they saw him qualified in the usual Manner. The Gentleman took his Seat in the House

On a second reading the Petition of Alexander Cumming; Ordered, That the said Petition be referred to the Consideration of a Committee and that they do examine the Matter thereof and report the same, as it shall appear to them, to the House. And M.<sup>r</sup> Worthington, M.<sup>r</sup> Griffith, M.<sup>r</sup> W. Paca and M.<sup>r</sup> J. Hall are appointed a Committee accordingly

The Bill entitled An Act to divide Saint John's Parish in Baltimore County, and the Bill entitled An Act to divide Saint George's Parish in Baltimore County severally read the first and second Time by an especial Order and will pass. Sent to the Upper House by M.<sup>r</sup> Aq. Hall and M.<sup>r</sup> J. Paca They return and acquaint M.<sup>r</sup> Speaker they delivered the Bills

J. Beale Bordley Esq from the Upper House delivers to M.<sup>r</sup> Speaker, the Petition of James Gill praying Relief from Jail thus indorsed. "By the Upper House of Assembly October 27.<sup>th</sup> 1770 Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order U Scott Cl. Up. Ho."

The Petition of Jane Brown was read

M.<sup>r</sup> Gresham hath Leave of Absence till Tuesday next

M.<sup>r</sup> J. Hall brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled An Act to ease the Inhabitants of this Province in the Payment of Attorneys fees. Which was read the first and second Time by an especial Order and will pass

The Serjeant at Arms returned the several Orders of this House, of the twentieth Instant, against the subscribing Inhabitants of Baltimore County, to the Baltimore Petition thus indorsed

"I hereby depute Philip Meroney to serve the within Precept, Witness my Hand this 20.<sup>th</sup> Day of October 1770

Robert Sanders Serj.<sup>t</sup> at Arms"

"Cepi Doctor Boyd, Richard Moale—NE Charles Ridgely, Doctor Dodge, Jon.<sup>a</sup> Plowman, W. Ottey, Samuel Owings, Benjamin Rogers Philip Meroney."

"I hereby depute Philip Meroney to serve the within Precept. Witness my Hand this 20.<sup>th</sup> Day of Octob.<sup>r</sup> 1770

Robert Sanders Serj.<sup>t</sup> at Arms"

"Cepi Robert Alexander—NE Tho.<sup>s</sup> Jones.

Philip Meroney."

L. H. J.  
Liber No. 54  
Oct. 27

"I hereby depute Philip Meroney to serve the within Precept. p. 128  
Witness my Hand this 20.<sup>th</sup> Day of October 1770.

Robert Sanders Serj.<sup>t</sup> at Arms"

"Cepi Doctor Weisenthal, John Hart, R. Alexander—NE. Tho.<sup>s</sup>  
Jones—

Philip Meroney"

The House being informed that M.<sup>r</sup> John Hart and M.<sup>r</sup> Jacob Myers were attending at the Door, in Obedience to the Order of this House of the twentieth Instant; Ordered, That they be called in, and they appeared accordingly

Ordered, That the Copy of the Petition, signed by the Inhabitants of Baltimore County, preferred to the Upper House last Session, and the Resolve of this House upon the Letter which M.<sup>r</sup> Speaker communicated, last Saturday, be read; and they were read accordingly

The said John Hart and Jacob Myers were then asked what Excuse they had to offer to the House for their having signed the said Petition. They answered, that the Petition was brought to them by several Gentlemen of Baltimore Town, who asked them if they would sign a Petition to the Assembly about the Election: That they, being ignorant of the Contents of the same, put their Names to it The House accepted the Excuse. Ordered, That they be discharged upon paying fees

Ordered, That M.<sup>r</sup> Beall and M.<sup>r</sup> Gantt be a Committee to tax the fees arising against the said John Hart and Jacob Myers upon the Orders of this House

Resolved, That no Member have Leave of Absence without Sickness or other unavoidable Accident

M.<sup>r</sup> Ringgold brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled an Act to invest Isaac Perkins with an exclusive Privilege and Benefit of making and selling a Machine for threshing of Wheat on a Model by him invented. Which was read the first and second Time by an especial Order & will pass

The Bill entitled An Act to impose a further Duty on Negroes imported into this Province and for the better Support of County Schools was read a second Time and will pass

The Order of the Day for taking into Consideration the Variation of the Compass &c.<sup>ta</sup> being read, the same is referred for Consideration on Monday Morning

The Order of the Day for taking into further Consideration the



L. H. J. Report of the Committee appointed to inspect the several publick  
Liber No. 54 Offices &<sup>ta</sup> being read, the same is referred for Consideration on  
Oct. 27 Monday Morning.

The House adjourns till Monday Morning Eight O'Clock

Oct. 29

Monday 29:<sup>th</sup> October 1770

The House met according to Adjournment

The Members were called and all appeared as on Saturday, except M.<sup>r</sup> Gresham, M.<sup>r</sup> Steele and M.<sup>r</sup> Hopper.

The Proceedings of Saturday were read

Ordered, That the Serjeant at Arms attending this House do forthwith take into his Custody the Bodies of Robert Alexander and Thomas Jones and have them immediately at the Bar of this House for a Breach of the Privileges of this House and Contempt of the same

The Bill entitled An Act to invest Isaac Perkins with an exclusive Privilege and Benefit of making and selling a Machine for threshing of Wheat on a Model by him invented Sent to the Upper House by M.<sup>r</sup> Bordley and M.<sup>r</sup> Buchanan They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

p. 129

The Bill entitled An Act to impose a further Duty on Negroes &<sup>ta</sup> Sent to the Upper House by M.<sup>r</sup> N. Thomas and M.<sup>r</sup> Smallwood. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

M.<sup>r</sup> Tilghman brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled An Act to continue the Power of Inspectors under the Act entitled An Act for amending the Staple of Tobacco for preventing ffrauds in his Majesty's Customs and for the Limitation of Officers fees and for other Purposes therein mentioned Which was read the first Time and ordered to lie on the Table. Read the second Time by an especial Order and committed for Amendments

A Bill entitled An Act to ease the Inhabitants of this Province in the Payment of Attorneys ffees sent to the Upper House by M.<sup>r</sup> Ringgold, M.<sup>r</sup> J. Hall, M.<sup>r</sup> Johnson, M.<sup>r</sup> Chase, M.<sup>r</sup> W. Paca, M.<sup>r</sup> N. Thomas, M.<sup>r</sup> Bordley and M.<sup>r</sup> Mackall. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

The Bill entitled An Act to remedy a Defect in the Acknowledgment of a Conveyance from Josiah Conant to William Thornton Read the second Time and will pass. Sent to the Upper House by M.<sup>r</sup> Eden and M.<sup>r</sup> Mackall. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

The ingrossed Bill entitled An Act for the building a Parish Church in Prince George's County Read and assented to. Sent to the Upper House with the Paper Bill thereof by M.<sup>r</sup> Contee and M.<sup>r</sup> Beall.

They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

L. H. J.  
Liber No. 54  
Oct. 29

The Order of the Day for taking into further Consideration the Report of the Committee appointed to inspect the several publick Offices &<sup>ts</sup> being read; Resolved, That it is the Duty of the Register of the Land Office fairly to transcribe the General Alphabet in the Land Office.

Resolved, also, That it is the Duty of the Register of the Land Office to repair the particular Alphabets in the said Office since the general Alphabet and all Books in his Office which are out of Repair.

Ordered, That the Clerk of this House do deliver to the Register of the Land Office a Copy of the above Resolves

Ordered, That a further Consideration on the said Report be had To-morrow Morning

Ordered, That the Register of the Land Office do immediately attend at the Bar of this House with Liber C N:<sup>o</sup> 3 a Record Book in the Land Office

J. B. Bordley Esq from the Upper House delivers to M.<sup>r</sup> Speaker a Bill entitled a Supplementary Act to the Act entitled An Act to prevent disabled and superannuated Slaves being set free, or the Manumission of Slaves by any last Will or Testament thus indorsed "By the Upper House of Assembly October 24:<sup>th</sup> 1770 Read the first Time and ordered to lie on the Table

Signed by Order U Scott Cl. Up. Ho."

And thus "By the Upper House of Assembly Octob.<sup>r</sup> 29:<sup>th</sup> 1770 Read the second Time and will pass

Signed by Order U Scott Cl. Up. Ho."

Which Bill was read here the first Time and ordered to lie on the Table.

M.<sup>r</sup> Tilghman brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled An Act for more effectually preventing the buying and selling of Offices and to prevent Simoniackal Contracts. Which was read the first Time and ordered to lie on the Table

William Fitzhugh Esq from the Upper House delivers to M.<sup>r</sup> Speaker the following Bills Viz.<sup>t</sup>

The Bill entitled An Act to remedy a Defect in the Acknowledgment of a Conveyance from Josiah Conant to William Thornton

The Bill entitled An Act to invest Isaac Perkins with an exclusive Privilege and Benefit of making and selling a Machine for threshing of Wheat on a Model by him invented p. 130

And the Bill entitled An Act to divide Saint John's Parish in Baltimore County—Severally indorsed "By the Upper House of Assembly October 29:<sup>th</sup> 1770 Read the first and second Time by an especial Order and will pass

Signed by Order U Scott Cl. Up. Ho."

L. H. J.  
Liber No. 54  
Oct. 29

Which Bills were read here and past for ingrossing

Also the Paper Bill entitled An Act for the building a Parish Church in Queen Ann Parish in Prince George's County, thus indorsed "By the Upper House of Assembly October 29:<sup>th</sup> 1770 The ingrossed Bill whereof this is the Original read and assented to

Signed by Order U Scott Cl. Up. Ho."

John Goldsmith Jun.<sup>r</sup> the Person deputized by the Serjeant at Arms attending this House, to serve the Summons issued on Saturday the 20:<sup>th</sup> Instant, makes Return thereof thus indorsed—"Non Est George Lock, Cepi John Briscoe, Henry Sothoron, Thomas Bond, Sen.<sup>r</sup> James Jordan, Jeremiah Jordan, Gerrard Bond, Thomas Allen, and Edward Smoot.

Jn.<sup>o</sup> Goldsmith Jun.<sup>r</sup>"

The House being informed that sundry Gentlemen were attending at the Door in Obedience to the above Summons; Ordered, That they be called in; and they appeared accordingly

Ordered, That the Petition of Zachariah Bond, and the Petition of John Horrell be read and they were read accordingly

The House having heard the Allegations of John Horrell, and the Testimony of the several Witnesses, after maturely deliberating thereupon; Ordered, That the Petition of Zachariah Bond be rejected

The House being informed That Doctor Charles Weisenthal and Doctor John Boyd were waiting at the Door in Obedience to the Order of this House, of Saturday the twentieth Instant;

Ordered, That they be called in, and they appeared accordingly

Ordered, That the Copy of the Petition, signed by the Inhabitants of Baltimore County, preferred to the Upper House last Session, the Resolve of this House upon the same, the Deposition of William Hutchings, and the Information of M.<sup>r</sup> Deye be read; and they were read accordingly—Doctor Weisenthal was then asked what Excuse he had to offer to the House for his having signed the said Petition? He declared, that notwithstanding his Name was affixed to the Petition, he never read it; for that if he had, he never would have signed it; and hoped, as he had given Offence through Ignorance, the House would readily excuse him. The House accepted the Excuse

Ordered, That he be discharged, paying ffees

Ordered, That Doctor John Boyd do attend at the Bar of this House To-Morrow Morning at the Sitting of the House

The Order of the Day for taking into Consideration the Variation of the Compass &<sup>ta</sup> being read; the same is referred for Consideration To-Morrow Morning

The House adjourns till To-Morrow Morning Eight O'Clock

Tuesday October 30:<sup>th</sup> 1770

L. H. J.  
Liber No. 54  
Oct. 30

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read

M.<sup>r</sup> Baxter and M.<sup>r</sup> Gresham appeared in the House

John Ridout Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Petition of sundry Inhabitants of Somerset County praying for a new Road thus indorsed "By the Upper House of Assembly October 30:<sup>th</sup> 1770 Read and referred to the Consideration of the Lower House of Assembly. p. 131

Signed by Order 'U Scott Cl. Up. Ho."

M.<sup>r</sup> Worthington brings in and delivers to M.<sup>r</sup> Speaker the following Report

Maryland ss.<sup>t</sup>

At a Committee of both Houses of Assembly, appointed to inspect the Office and Proceedings of the Commissioners for Emitting Bills of Credit, Established by Act of Assembly. . . [The report beginning thus is printed in full in the Upper House Journal, pp. 195-198]

Ordered, That the said Report be read; and it was read accordingly p. 132

Doctor John Boyd appeared at the Bar of this House in Obedience to the Order of last Night, and being asked what he had to offer in Excuse for having signed the Petition of the subscribing Inhabitants of Baltimore County preferred to the Upper House last Session; said, that if the Paper which was read to him the Evening before was a true Copy of the Petition alluded to, he did not believe, tho' his Name was to it, that he ever subscribed it; for that he found there were Expressions made Use of, which were highly derogatory to the Dignity and Honour of this House: And further said, it was more than probable, that some Person, thinking he would have signed the Petition, had it been shewed to him, put his Name to it, without his Knowledge—Ordered, That he be discharged

William Fitzhugh, Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Petition of Edward Tilghman, Solomon Wright, Attorney at Law, Mary Wright, Widow, Francis Barnes, jun.<sup>r</sup> and Philemon Murphey, Farmers, and James Coursey, House-Joiner, all of Queen Ann's County; Thomas Coursey and John Coursey, Mariners, and Daniel Kellum, of Talbot County, Planter. p. 133

Ordered, That M.<sup>r</sup> John Hall, M.<sup>r</sup> Chase, M.<sup>r</sup> W. Paca, M.<sup>r</sup> Johnson and M.<sup>r</sup> Mackall be a Committee to enquire into the ffacts set forth in the said Petition, and report the same, as they shall appear to them, to the House.

The Bill, entitled, An Act to continue the Power of Inspectors and for other Purposes therein mentioned Read a second Time and



L. H. J.  
Liber No. 54  
Oct. 30

will pass. Sent to the Upper House by M.<sup>r</sup> Gantt and M.<sup>r</sup> Beall They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

M.<sup>r</sup> Grahame brings in and delivers to M.<sup>r</sup> Speaker a Bill, entitled, An Act to enable the Commissioners for emitting Bills of Credit to pay to John Duckett, William Mills and John Peacock the Sums of Money therein mentioned. Which was read the first and second Time by an especial Order and will pass Sent to the Upper House by M.<sup>r</sup> Deye and M.<sup>r</sup> Ware. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

M.<sup>r</sup> Worthington brings in and delivers to M.<sup>r</sup> Speaker the following Report

By the Committee of Grievances and Courts of Justice October the 30:<sup>th</sup> 1770

Your Committee beg Leave to report to your Honourable House, that being informed, William Steuart, Clerk of the Land Office, had taken a Note of Hand in that Office from William Hamlin with Security for the Payment of a Sum of Money on the issuing a Warrant of Escheat in the said Office to the said Hamlin and that the said William Steuart did administer to the said Hamlin the Oath of not making Tobacco heretofore used; the said William Steuart attended your Committee by Order and acquainted your Committee That upon Application made to him as Clerk of the Land Office by William Hamlin for a Special Warrant of Escheat he applied to Benedict Calvert and George Steuart Esquires his Principals, by Letter for their Directions as to the Receipt or Security of the fees of the said Office. That they both came into the Office and gave him verbal Directions that he should upon any Application to him for Business to be done in that Office take the fees allowed by the late Inspection Law or Notes therefor or for the Payment of such fees as should be allowed by any Regulation made by the Assembly or by Proclamation—

That if a Person made no Tobacco and therefore purposed to pay in Money at 12/6 that then he should administer the Oath of not making Tobacco heretofore in Use to such Person—That if ready Money was offered by those who made Tobacco that then the fees should be received at 15/. per Hundred. That in Consequence of such Directions he the said William Steuart (being a Justice of the Peace) administered such Oath to the said William Hamlin and took of him, and Robert Buchanan, as his Security, a Promissory Note as well as in a Course of Business two other Notes for Special Warrants, Copies of which Notes are hereto annexed, and which the said William Steuart informed your Committee are the only Securities taken for the Payment of fees in that Office—That he received from each of the Parties Ten Shillings to himself for his drawing a Petition for each of the said Warrants—Which Proceedings and Doings in the said Land Office your Committee are of Opinion are in no



wise warranted by Law. and are oppressive and grievous to the People of this Province and humbly submit the same to the Consideration of the Honourable House

L. H. J.  
Liber No. 54  
Oct. 30

Signed by Order Ralph Dobinson Cl Com.

William Hamlin and Robert Buchanan both of Kent County do oblige themselves or Heirs to pay unto Benedict Calvert and George Steuart Judges of the Land Office the Sum of two Pounds five Shillings and ten Pence Current Money as it now passes As Witness our Hands this 24<sup>th</sup> Day of October 1770

p. 134

Test W.<sup>m</sup> Steuart

W.<sup>m</sup> Hamlin  
R.<sup>t</sup> Buchanan

NB The above ffee to be agreeable to Proclamation WS.

I Thomas Elliott of Queen Ann's County do oblige myself or my Heirs to pay unto Benedict Calvert and George Steuart Judges of the Land Office the Quantity of three hundred and seventy five Pounds of good and lawful Tobacco As Witness our Hands this 30<sup>th</sup> Day of October 1770 The above ffees to be agreeable to Proclamation or Regulation of ffees which shall happen.

Test Nich.<sup>s</sup> Harwood

Tho.<sup>s</sup> Elliott

I John Brooker Meeke of Charles County do oblige myself or my Heirs to pay or cause to be paid unto Benedict Calvert and George Steuart Judges of the Land Office the Quantity of three hundred and seventy five Pounds of good and lawful Tobacco As Witness our Hands this 30<sup>th</sup> Day of October 1770. The above ffees to be agreeable to Proclamation or Regulation of ffees which shall happen

Test Nich.<sup>s</sup> Harwood

John B Meek

Ordered, That the said Report and Notes be read; and they were read accordingly

The House unanimously concur with the above Report

Ordered, That the same be taken into Consideration To-Morrow Morning

Ordered, That the Clerk of the Secretary's Office do immediately attend at the Bar of this House with Liber L. N.<sup>o</sup> 5 a Record Book of Laws belonging to his Office

M.<sup>r</sup> Deye brings in and delivers to M.<sup>r</sup> Speaker the Petition of Ann Gaither—Which was read

Ordered, That the same be referred to the Consideration of a Committee and that they do examine the Matter thereof, and report the same, as it shall appear to them to the House

M.<sup>r</sup> Deye, M.<sup>r</sup> N. Thomas, M.<sup>r</sup> Harrison, M.<sup>r</sup> Smallwood, and M.<sup>r</sup> Adams are appointed the Committee accordingly And they have Power to send for Persons, Papers and Records

L. H. J.      The ingrossed Bills N.<sup>o</sup> 17, 18, 19, read and assented to and sent  
 Liber No. 54      to the Upper House with the Paper Bills thereof by M.<sup>r</sup> Aquila Hall  
 Oct. 30      and M.<sup>r</sup> Bordley. They return and acquaint M.<sup>r</sup> Speaker they  
                  delivered the Bills

The Bill entitled An Act for more effectually preventing the buying and selling of Offices and to prevent simoniacal Contracts read the second Time by an especial Order and will pass

Sent to the Upper House by M.<sup>r</sup> Chase and M.<sup>r</sup> Tilghman They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

Upon reading a second Time the Petition of sundry freeholders of All Saints Parish in Frederick County; the House was moved that an Act for dividing Saint John's Parish in Prince George's County and for erecting Part thereof into a new Parish be read; and the same was read accordingly. The Question was put that the Petition be granted?

Resolved in the Affirmative

p. 135

For the Affirmative

Mess. <sup>rs</sup>	Eden	Courts	Tyler
	Buchanan	Adams	Contee
	Gresham	Goldsborough	Wright
	Bordley	N. Thomas	J. Paca
	Worthington	Hooper	Aq. Hall
	Johnson	Noel	Deye
	Griffith	Ward	Allen
	Mackall	Gilpin	Dashiell
	Parran	Veazy	Luckett
	Grahame	Baxter	Heugh
	Smallwood	J. Hall	Wootton
	Ware	W. Paca	[37]
	Harrison	Beall	

For the Negative

Mess. <sup>rs</sup>	Ringgold,	Gantt,	Dickinson.
	Chase,	Tilghman,	[5]

On Motion, Leave given to bring in a Bill according to the Prayer of the Petition

Ordered, That M.<sup>r</sup> Johnson, M.<sup>r</sup> J. Hall, M.<sup>r</sup> W. Paca, M.<sup>r</sup> Luckett, M.<sup>r</sup> Heugh and M.<sup>r</sup> Wootton do prepare and bring in the same

George Steuart Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Paper Bills N.<sup>o</sup> 17, 18, 19, severally indorsed "By the Upper House of Assembly October 30:<sup>th</sup> 1770 The ingrossed Bill whereof this is the Original read and assented to

Signed by Order U Scott Cl. Up. Ho."

And the Bill entitled An Act to continue the Power of Inspectors and for other Purposes therein mentioned, thus indorsed. "By the Upper House of Assembly October 30:<sup>th</sup> 1770 Read the first Time and ordered to lie on the Table

L. H. J.  
Liber No. 54  
Oct. 30

Signed by Order U Scott Cl. Up. Ho."

And thus "By the Upper House of Assembly October 30:<sup>th</sup> 1770 Read the second Time by an especial Order and will pass with the following Amendments Viz.<sup>t</sup> In the Title, leave out the Words "and for other Purposes therein mentioned" and after the word "Warehouses" in the 12:<sup>th</sup> Line of the second Page leave out the Residue of the Bill—

Signed by Order U Scott Cl. Up. Ho."

The Order of the Day for taking into Consideration the Report of the Committee appointed to inspect the several Publick Offices &<sup>ta</sup> being read; the same is referred for further Consideration To Morrow Morning

The Order of the Day for taking into Consideration the Variation of the Compass &<sup>ta</sup> being read; the same is referred for Consideration To-morrow Morning

The House adjourns till To-Morrow Morning Eight O'Clock

Wednesday 31:<sup>st</sup> October 1770

Oct. 31

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday. The Proceedings of Yesterday were read

M.<sup>r</sup> Dickinson delivers to M.<sup>r</sup> Speaker a Petition of the Reverend Bennett Allen, praying, that the Bill for the Division of his Parish may not pass; but that the Consideration thereof may be deferred to the next Session of Assembly, in Order that his Parishioners may have Time to consider the Matter on their Part, and the Petitioner on his own Part may be indulged with an Opportunity of being heard at the Bar of this House by his Counsel. Which was read the first Time and ordered to lie on the Table.

M.<sup>r</sup> Allen brings in and delivers to M.<sup>r</sup> Speaker the Bill entitled An Act for the Relief of Nehemiah Tilghman and Solomon Townsend and to confirm the Contract made between the said Nehemiah and a certain Major Townsend. Which was read the first Time and ordered to lie on the Table. p. 136

The Petition of sundry Inhabitants in Frederick Town in Frederick County praying a Market House Read the second Time and granted—Leave given to bring in a Bill according to the Prayer of the Pet[ition].

L. H. J. Ordered, That M.<sup>r</sup> Lockett, M.<sup>r</sup> Heugh, M.<sup>r</sup> Wootton, M.<sup>r</sup> J. Hall,  
Liber No. 54 M.<sup>r</sup> Johnson and M.<sup>r</sup> Chase do prepare and bring in the same  
Oct. 31

The Petition of sundry Inhabitants in Somerset County praying a Road, was read the first Time and ordered to lie on the Table

The Clerk of this House informs the House, that he delivered, on Monday, the 29.<sup>th</sup> Instant, to Walter Dulany, Esq, Commissary General, a Copy of the Resolves of this House, of the 29.<sup>th</sup> Instant.

The Order of the Day for taking into Consideration the Report of the Committee appointed to inspect the several publick Offices &<sup>ta</sup> being read; Resolved, That it is the Duty of the Secretary of this Province to have the Judgments in his Office from April Term 1766 down to the present Time recorded, and that the same be done as soon as possible

Ordered, That the Clerk of this House do deliver to the Secretary a Copy of the above Resolve

Ordered, That M.<sup>r</sup> J. Hall, M.<sup>r</sup> Chase, M.<sup>r</sup> Johnson, M.<sup>r</sup> W. Paca, M.<sup>r</sup> Tilghman and M.<sup>r</sup> Ringgold do prepare an Address to his Excellency respecting the State of the publick Offices

On Motion, Leave given to bring in a Bill relative to the Public Offices

Ordered, That M.<sup>r</sup> J. Hall, M.<sup>r</sup> Chase, M.<sup>r</sup> Johnson, M.<sup>r</sup> W. Paca, M.<sup>r</sup> Tilghman and M.<sup>r</sup> Ringgold do prepare and bring in the same

On Motion, Leave given to bring in a Bill entitled a Supplementary Act to the Act entitled An Act to prevent the Exportation of flour, Staves and Shingles not merchantable from the Town of Baltimore in Baltimore County and to regulate the Weight of Hay, and Measure of Grain, Salt, flax Seed and fire Wood, within the said Town

Ordered, That M.<sup>r</sup> J. Paca, M.<sup>r</sup> Aq Hall, M.<sup>r</sup> Deye, M.<sup>r</sup> Chase, M.<sup>r</sup> J. Hall and M.<sup>r</sup> W. Paca do prepare and bring in the same

M.<sup>r</sup> N. Thomas brings in and delivers to M.<sup>r</sup> Speaker the Bill entitled An Act directing the Sale of Part of the Lands of Henry Baker late of Cæcil County deceased for the Payment of the Debts of the said Henry Baker. Which was read the first and second Time by an especial Order and will pass. Sent to the Upper House by M.<sup>r</sup> N. Thomas and M.<sup>r</sup> Deye They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

The Bill entitled An Act for the Relief of Nehemiah Tilghman &<sup>ta</sup> read the second Time by an especial Order and will pass. Sent to the Upper House by M.<sup>r</sup> Allen & M.<sup>r</sup> Dashiell They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

The Order of the Day for taking into Consideration the Report from the Committee of Grievances, of Yesterday being read the same is referred for further Consideration To Morrow Morning

Ordered, That the Petition of Samuel Smith of Ann Arundel County be taken into Consideration on Friday Morning

L. H. J.  
Liber No. 54  
Oct. 31

The Bill entitled An Act to redress the Evils arising from the Variation of the Compass in surveying Lands was read a second Time and referred for Consideration on the second Tuesday of next Session of Assembly

Ordered, That the said Bill be immediately published in the Maryland Gazette; and that it be likewise printed in Hand Bills and four Copies thereof delivered to each Member of the Upper and Lower Houses of Assembly

Daniel Dulany Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Bill entitled An Act to revive and continue Part of an Act entitled An Act for amending the Staple of Tobacco for preventing frauds in his Majesty's Customs and for the Limitation of Officers fees and the Supplementary Act thereto thus indorsed "By the Upper House of Assembly October 31.<sup>st</sup> 1770 Read the first Time and ordered to lie on the Table.

Signed by Order U Scott Cl. Up. Ho."

And thus "By the Upper House of Assembly October 31.<sup>st</sup> 1770 Read the second Time by an especial Order and will pass

Signed by Order U Scott Cl. Up. Ho."

Which was read here the first Time and ordered to lie on the Table

The House adjourns till To-morrow Morning Eight O'Clock

Thursday 1.<sup>st</sup> November 1770

Nov. 1

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read

Agreeable to the Order of Yesterday A Bill entitled An Act for the Relief of Thomas Weems was brought in, and read the first and second Time by an especial Order and will pass. Sent to the Upper House by M.<sup>r</sup> Griffith and M.<sup>r</sup> Chase. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

The House was moved, That the Report of the Committee of Grievances dated 28.<sup>th</sup> May 1739, and the Resolution of the House thereon be read; and they were read accordingly

The House unanimously concur with the said Report and Resolution

Ordered, That they be entered as Part of this Journal—And they are as follow



L. H. J.  
Liber No. 54  
Nov. 1

“By the Committee of Grievances 28:<sup>th</sup> May 1739

Your Committee observe that the ffees of the several Officers and Ministers of this Province, their deputed Ministers, Servants and Officers are in themselves, as now paid, excessive great; and oppressive to the Subject; and that the said ffees are under no Regulation of any Law of this Province that appears to your Committee. That the said Officers and Ministers, their deputed Ministers, Servants and Officers by Power of a Proclamation of the Right Honourable the Lord Proprietary dated the 14:<sup>th</sup> Day of April 1733 and one Order of Council dated the 23:<sup>d</sup> Day of April 1735 and one other Order of Council dated the 15:<sup>th</sup> Day of July hereunto annexed, do charge, levy, raise, and receive, from his Majesty’s Subjects of this Province such ffees so as aforesaid burthensome, great and oppressive, to the Discouragement, Ruin, and Undoing of many of his Majesty’s liege Subjects, and even the said Colour of Power is exceeded by the unlimited Will, and unbounded Avarice of many of the said Officers, Ministers and their Deputies

p. 138 “Your Committee humbly observe that by the Royal Charter, the Resolves of your Honourable House, and the Common Custom of this Province, the Subjects here are entituled to the Customs, Common Law, and the securitive Statutes of the Rights and Liberties of the Subjects in our Mother Country, Great Britain, by which Custom of Great Britain, such like ffees of the Courts of Justice and the several Officers have been settled by Acts of Parliament; agreeable to which

“Your Committee further most humbly observe, that from the earliest Times since the Settlement of this Province by British Subjects, such ffees have been adjusted and regulated by Acts of the General Assembly, and not by any other Power or Authority, till the aforesaid Proclamation.

“Your said Committee most humbly conceive, that such Proclamations or Orders of Council, charging his Majesty’s leige and dutiful Subjects with any Tax or Tallage, are invasions, on the fundamental Constitution of this Province, and against the lawful Rights and Liberties of the Subject, and are, in themselves, and their Consequences, very grievous and oppressive to his Majesty’s leige Subjects, the Inhabitants of this Province: but the same is humbly submitted to the Consideration of your Honble House.

Signed p Order of the Committee Bordley Cl.”

On reading the Report, the Question was put, That the House concur therewith.

Resolved in the Affirmative

The Order of the Day for taking into Consideration the Report of the Committee of Grievances and Courts of Justice of the 30:<sup>th</sup> of October 1770 being read; the House resolves as follows—

Resolved, unanimously, That the Representatives of the freeman of this Province have the sole Right with the Assent of the other Part of the Legislature to impose and establish Taxes or fees; and that the imposing, establishing, or collecting, any Taxes, or fees, on or from the Inhabitants of this Province under Colour, or Pretence of any Proclamation issued by, or in the Name of the Lord Proprietary, or other Authority, is arbitrary, unconstitutional, and oppressive—

L. H. J.  
Liber No. 54  
Nov. 1

Resolved, unanimously, That in all Cases where no fees are established by Law for Services done by Officers the Power of ascertaining the Quantum of the Reward for such Services is constitutionally in a Jury upon the Action of the Party.

Resolved, unanimously, That the Notes taken by William Steuart, Clerk of the Land Office, from William Hamlin, Thomas Elliott, and John Brooker Meek, are illegal and void; and the fees intended thereby to be secured, are excessive and not warranted by Law.

Resolved, unanimously, That the imposing any Oath, not appointed and required by Law, is illegal and of dangerous Tendency.

Ordered, That the said Resolves, with the Report, be immediately printed in the Maryland Gazette

Ordered, That the Serjeant at Arms, attending this House, do forthwith take into his Custody the Body of William Steuart, and have him immediately at the Bar of this House, to answer at the Bar of this House for taking Notes of Hand for the Payment of excessive fees in the said Office, not warranted by Law; and also for imposing an Oath not appointed and required by Law.

On motion, Leave given to bring in a Bill for the Relief of certain languishing Prisoners in the several Jails therein mentioned. p. 139

Ordered, That M.<sup>r</sup> Chase, M.<sup>r</sup> Ringgold, and M.<sup>r</sup> Aquila Hall do prepare and bring in the same

M.<sup>r</sup> Chase brings in, and delivers to M.<sup>r</sup> Speaker a Bill, entitled, An Act for the Relief of certain languishing Prisoners in the several Jails therein mentioned. Which was read the first Time and ordered to lie on the Table.

Walter Dulany, Esquire, from the Upper House, delivers to M.<sup>r</sup> Speaker, the Bill, entitled, An Act directing the Sale of Part of the Lands of Henry Baker, late of Cæcil County, deceased, for the Payment of the Debts of the said Henry Baker, thus indorsed "By the Upper House of Assembly October 31.<sup>st</sup> 1770 Read the first Time and ordered to lie on the Table—

Signed by Order U Scott Cl. Up. Ho."

And thus "By the Upper House of Assembly October 31.<sup>st</sup> 1770 Read the second Time by an especial Order and will pass

Signed by Order U Scott Cl. Up. Ho."

L. H. J.  
Liber No. 54  
Nov. 1

Which Bill was read here and past for ingrossing

And, the Bill, entitled, An Act for the Relief of Nehemiah Tilghman, and Solomon Townsend, and to confirm the Contract made between the said Nehemiah Tilghman and a certain Major Townsend thus indorsed "By the Upper House of Assembly October 31<sup>st</sup> 1770 Read the first Time and ordered to lie on the Table.

Signed by Order U Scott Cl. Up. Ho."

And thus "By the Upper House of Assembly November 1<sup>st</sup> 1770 Read the second Time and will pass, with the following Amendment, viz.<sup>t</sup> After the word "same" in the last Line of the last Page, add as follows "Saving to the Heir of the said Major Townsend a Liberty of shewing Cause, if any he hath or can shew, to the Chancellor of this Province for the Time being, at any Time within six Months after he shall arrive at the Age of twenty one Years why the said Contract and Obligation by the aforesaid Major Townsend entered into with the said Stephen Revell ought not to have been specifically performed and upon such Cause shewn to the Satisfaction of the said Chancellor that then this Act be void: Any Clause Matter or Thing to the contrary in any wise notwithstanding

Signed by Order U Scott Cl. Up. Ho."

Which was read here with the Amendment and past for ingrossing

Daniel Dulany Esq from the Upper House delivers to M.<sup>r</sup> Speaker a Bill entitled An Act for more effectually preventing the buying and selling of Offices and to prevent Simoniack Contracts thus indorsed "By the Upper House of Assembly October 30<sup>th</sup> 1770 Read the first Time and ordered to lie on the Table.

Signed by Order U Scott Cl. Up. Ho."

"By the Upper House of Assembly 1<sup>st</sup> November 1770 Read the second Time and will pass with the Amendments annexed—

Signed by Order U Scott Cl. Up. Ho."

In the third Page, and in the fourteenth Line after the Word "general" insert "Judge or" and leave out the words that follow after the word "Office" in the said Line, to the word "committed" in the fifteenth Line, inclusive. After the word "fee" in the third Page in the Oath prescribed insert the following words Viz.<sup>t</sup> "And according to the Reservation of Part of the Profits as expressed in my Appointment or Commission" And after the word "recover'd" in the sixth Line of the fourth Page leave out what follows to the word "Public" inclusive, and insert the following Words "by the Person who shall sue for the same by Bill Plaint or Information" and after the word "Office" in the Eighteenth Line of the said Page, insert the following Proviso, to wit "Provided always and be it enacted by the Authority aforesaid That this Act or any Thing therein

*contained shall not in any wise extend to be prejudicial or hurtful to any Reservation of Part of the Profits of an Office or Deputation by the Person conferring such Office or Deputation the said Reservation being expressed in the Commission or Appointment to such Office or Deputation but that such Reservation shall have the same Effect as the same would or might have had before the making of this Act and not otherwise Any Thing abovementioned notwithstanding* And after the word "Consent" in the seventh Line of the fifth Page, add the following Words "*And that I will diligently and faithfully perform the several Duties appertaining unto my Office according to the best of my Power and Ability.*" And in the Eleventh Line of the same Page leave out the words "*or to resign his Benefice*"

L. H. J.  
Liber No. 54  
Nov. 1

Which was read and ordered to lie on the Table

William Fitzhugh Esq from the Upper House delivers to M.<sup>r</sup> Speaker a Bill entitled An Act to ease the Inhabitants of this Province in the Payment of Attorneys fees, thus indorsed "By the Upper House of Assembly October 29:<sup>th</sup> 1770 Read the first Time and ordered to lie on the Table

Signed by Order U Scott Cl. Up. Ho."

And thus "By the Upper House of Assembly October 31:<sup>st</sup> 1770 Read the second Time and will pass with the Amendment annexed.

Signed by Order U Scott Cl. Up. Ho."

After the word "*same*" in the fourth Line of the fourth Page insert as follows viz.<sup>t</sup>

Whereas by the Act entitled "An Act for rectifying the ill Practices of Attorneys of this Province and ascertaining fees to the Attorney General, Clerk of Indictments, Attorneys and Practitioners of the Law in the Courts of this Province and for levying the same by Way of Execution" it is amongst other Things expressly enacted "That if any Attorney or other Person practicing the Law in any of the Courts of this Province do presume to ask, receive, take or demand any greater or larger fee than before by the said Act appointed and be thereof legally convicted he shall be incapable to practice the Law in any Court of this Province for the future."

And whereas it would be of very little Avail towards the Ease of Suitors to regulate and limit the fees of Lawyers unless they be strictly held not to ask, receive, take, or demand, any fees beyond such Regulation and Limitation: Be it therefore enacted by the Authority aforesaid That no Attorney or Lawyer shall plead the Cause of any Suitor or appear in or undertake any Suit or Cause in any Court of this Province after the End of this present Session of Assembly unless such Attorney or Lawyer in each Court in which he shall practice at the first Sitting thereof at which such Attorney or Lawyer shall appear and undertake or be concerned in any Suit



L. H. J. or Cause take and subscribe in open Court the following Oath,  
 Liber No. 54 to wit—"I AB do solemnly promise and swear that I will not during  
 Nov. 1 the Continuance of the Act entitled An Act to ease the Inhabitants  
 of this Province in the Payment of Attorneys fees in any Manner  
 or of any Person directly or indirectly ask receive take or demand  
 in Money Tobacco or any other Matter or Thing any greater or  
 larger Satisfaction Reward Gratuity or fees than by the said Act  
 appointed So help me God."

p. 141 And the Judges and Justices in and of the several Courts within  
 this Province are required and enjoined not to permit or suffer any  
 Attorney or Lawyer to practice in their respective Courts unless such  
 Attorney or Lawyer shall first take and subscribe in open Court the  
 Oath aforesaid.

Provided always that this Act or any Thing therein contained shall  
 not extend to hinder any Attorney or Lawyer from finishing and  
 bringing to a Determination the Suits or Causes now depending and  
 in which they have been really and actually employed by any Party  
 or Parties interested therein. Which was read here with the Amend-  
 ments and unanimously rejected.

John Beale Bordley Esq from the Upper House delivers to M.<sup>r</sup>  
 Speaker a Bill entitled An Act for the Relief of Thomas Weems  
 thus indorsed "By the Upper House of Assembly 1.<sup>st</sup> November  
 1770 Read the first and second Time by an especial Order and  
 will pass

Signed by Order U Scott Cl. Up. Ho."

Which was read here and past for ingrossing

The Serjeant at Arms attending this House makes Return of the  
 Order of this Day, to him directed, thus indorsed

"Cepi Robert Sanders Serj.<sup>t</sup> at Arms."

The House being informed that M.<sup>r</sup> William Steuart was attend-  
 ing at the Door in Obedience to the Order of this House; Ordered  
 That he be called in He appeared accordingly and alledged that he  
 acted in Obedience to the Orders of his Principals, and that he must  
 continue so to act until otherwise ordered by them

Ordered, That the said William Steuart for his said Offence be  
 committed Prisoner to the Public Goal in the Custody of the Sheriff  
 of Ann Arundel County And that M.<sup>r</sup> Speaker do issue his Warrant  
 accordingly. Which he did in the following Words

"By the Lower House of Assembly November 1.<sup>st</sup> 1770

You are hereby authorised and required to receive into your Cus-  
 tody the Body of William Steuart, of the City of Annapolis, Gentle-  
 man, herewith sent you, for taking Notes of Hand, as Clerk of the  
 Land-Office for the Payment of fees contrary to Law, for imposing  
 an Oath, as a Justice of the Peace, not appointed and required by



Law, and for a high Contempt of this House; and him keep safe and close in the publick Goal until he shall be thence discharged by Order of this House. And for your so doing this shall be your sufficient Warrant

L. H. J.  
Liber No. 54  
Nov. 1

Signed per Order of the House E Tilghman Speaker"

To John Clapham, Esq; Sheriff of Ann Arundel County, and Keeper of the publick Goal in the City of Annapolis—

Ordered, That the Serjeant, at Arms, attending this House, do deliver William Steuart, now in his Custody, to the Sheriff of Ann Arundel County, with the said Warrant

The House adjourns till To Morrow Morning Eight O'Clock

Friday 2<sup>nd</sup> November 1770

Nov. 2

The House met according to Adjournment.

p. 142

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read

The ingrossed Bill N.<sup>o</sup> 20 read and assented to and sent to the Upper House with the Paper Bill thereof by M.<sup>r</sup> Griffith and M.<sup>r</sup> Tyler. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

M.<sup>r</sup> Lockett brings in and delivers to M.<sup>r</sup> Speaker a Bill entitled An Act to establish a Market in Frederick Town in Frederick County and for the Regulation of the said Market Which was read the first Time and ordered to lie on the Table

The ingrossed Bills N.<sup>o</sup> 21 and 22 read and assented to and sent to the Upper House with the Paper Bills thereof by M.<sup>r</sup> N. Thomas and M.<sup>r</sup> Allen. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bills

On Motion, Ordered, That the Report of the Committee appointed to inspect the publick Offices and to enquire from the several Officers their Deputies Registers or Clerks into the Annual Amount of the fees that have accrued due to the said Officers of this Province for seven Years last past, of the third Day of October, and also the Report of the same Committee of the twelfth Day of October be printed in the next Week's Maryland Gazette and be continued for six Weeks successively.

M.<sup>r</sup> J. Hall brings in and delivers to M.<sup>r</sup> Speaker the following Report.

By the Committee appointed to enquire into the Truth of the several facts set forth in the Petition of Edward Tilghman, Solomon Wright, Attorney at Law, Mary Wright, Widow, Francis Barnes, jun.<sup>r</sup> and Philemon Murphy, Farmers, and James Coursey, House Joiner, of Queen Anne's County, and Thomas Coursey, John Cour-

L. H. J. sey, and Henry Coursey, Mariners, and Daniel Kellum, of Talbot  
 Liber No. 54 County, Planter.  
 Nov. 2

In Obedience to the Order of the Honourable House, your Committee beg Leave to report, that it appears to your Committee, from an authenticated Copy of the Record, that Col.<sup>o</sup> Vincent Lowe made such Will and Codicil as set forth in the said Petition: That Elizabeth, the Widow of the said Vincent Lowe, intermarried with Col.<sup>o</sup> William Coursey, and an Act of Assembly did pass, empowering them, the said William and Elizabeth, or the Survivor of them, to sell the said Lands: That some of the said Lands were sold by the said William and Elizabeth: That the said Elizabeth survived her said Husband, and made such Testament and last Will, as in the said Petition is set forth and alleged: That your Committee are satisfied, from the Information of Messieurs John Goldsborough and Thomas Wright, two of the Members of your House, that the several facts in said Petition contained, relative to the Devises claiming under the said Will of Elizabeth Coursey, their Intermarriages, Issue and Deaths, are true as stated, and that Henry Coursey, Son of John, went to Sea, and for some Time past hath not been heard of.

Signed per Order Ralph Dobinson Cl. Com :

p. 143 John Ridout, Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Paper Bills N.<sup>o</sup> 20, 21, 22; severally indorsed: "By the Upper House of Assembly November 2.<sup>nd</sup> 1770 The ingrossed Bill whereof this is the Original, read and assented to.

Signed by Order U Scott Cl. Up. Ho."

The Petition of Edward Tilghman, Solomon Wright, and others, read and unanimously granted. Leave given to the Petitioners to bring in a Bill agreeable to the Prayer of their Petition

The Bill, entitled, An Act for more effectually preventing the buying and selling of Offices, and to prevent simoniacal Contracts, read with the Amendments from the Upper House, and rejected.

Ordered, That the said Bill, and the Amendments thereto annexed, be printed in the Maryland Gazette.

Benedict Calvert, and Daniel Dulany, Esq.<sup>rs</sup> from the Upper House, acquaint M.<sup>r</sup> Speaker that the Governor requires the Attendance of the Lower House immediately in the Council Chamber, to see the Laws past.

M.<sup>r</sup> Speaker left the Chair, and (attended by the rest of the Members of the Lower House) went to the Upper House, and there presented to his Excellency the following ingrossed Bills viz.<sup>t</sup>

N.<sup>o</sup> 12. An Act to unite the Free Schools of Somerset and Worcester Counties

N.<sup>o</sup> 13. An Act to enable the Justices of Dorchester County Court to assess and levy on the taxable Inhabitants of the said County a Quantity of Tobacco for the Purpose of building a Court House

N.º 14. An Act to repeal Part of an Act to encourage the destroying of Wolves Crows and Squirrels

L. H. J.  
Liber No. 54  
Nov. 2

N.º 15. An Additional Supplementary Act to the Act entitled An Act for erecting a new Parish in Kent County called Chester Parish and for building a Parish Church and enlarging a Chapel of Ease in the said Parish

N.º 16. An Act for the building a Parish Church in Queen Anne Parish in Prince George's County

N.º 17. An Act to remedy a Defect in the Acknowledgment of a Conveyance from Josiah Conant to William Thornton

N.º 18. An Act to divide Saint John's Parish in Baltimore County

N.º 19. An Act to invest Isaac Perkins with an exclusive Privilege of making and selling a Machine for threshing of Wheat on a Model by him invented

N.º 20. An Act for the Relief of Thomas Weems

N.º 21. An Act directing the Sale of Part of the Lands of Henry Baker late of Cæcil County deceased for the Payment of the Debts of the said Henry Baker

N.º 22 An Act for the Relief of Nehemiah Tilghman and Solomon Townsend and to confirm the Contract made between the said Nehemiah Tilghman and a certain Major Townsend

All which his Excellency passed into Laws in the usual Form

His Excellency made the following Speech viz<sup>t</sup>

Gentlemen of the Upper and Lower Houses of Assembly

I have thought fit with the Advice of his Lordship's Council of State to prorogue this Assembly to Monday the fifth Instant; and you are to take Notice you are prorogued to that Day accordingly

So endeth this Session of Assembly this second Day of November in the Year of our Lord One thousand seven hundred and seventy

Test Jn.º Duckett Cl. Lo. Ho.

## ACTS OF THE ASSEMBLY PASSED DURING SEPTEMBER–NOVEMBER, 1770

Liber R. G. At a Session of Assembly begun and held at the City of Annapolis  
1770 the twenty fifth Day of September in the twentieth Year of the  
p. 47 Dominion of the Right Honourable Frederick Absolute Lord &  
Proprietary of the Provinces of Maryland & Avalon Lord Baron  
of Baltimore and so forth Annoque Domini One thousand seven  
hundred and seventy & ending the second Day of November following

N.<sup>o</sup> 1 The following Laws were enacted and Assented to by his Ex-  
cellency Robert Eden Esquire Governor.

An Act continuing an Act entituled an Act for amending the Staple  
of Tobacco for Preventing Frauds in his Majesty's Customs  
and for the Limitation of Officers Fees and the Supplementary  
Act thereto—

[An Act,  
and the Sup-  
plementary  
Act, thereto,  
continued.]

Be it Enacted by the right Honourable the Lord Proprietary by  
and with the Advice and Consent of his Lordships Governor and  
the Upper and Lower Houses of Assembly and the Authority of the  
same That an Act of Assembly of this Province entituled an Act for  
amending the Staple of Tobacco for Preventing Frauds in his Maj-  
estys Customs and for the Limitation of Officers Fees made at a  
Session of Assembly begun and held at the City of Annapolis the  
fourth Day of October Seventeen hundred and Sixty three also the  
Supplementary Act thereto made at a Session of Assembly begun and  
held at the City of Annapolis the first Day of November Seventeen  
hundred and sixty six be and are hereby continued and shall remain  
and be in full force untill the twenty second Day of October which  
shall be in this Present Year Seventeen hundred and Seventy

By the Lower House of  
Assembly September 28.<sup>th</sup>  
1770 Read and Assented  
to

Signed p Order  
Jn<sup>o</sup> Duckett Cl. Lo. Ho.

On Behalf of the right  
Honble the Lord Pro-  
prietary of this Province  
I Will this be a Law

Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Sept.<sup>r</sup> 29.<sup>th</sup> 1770  
Read and Assented to

Signed by Order  
U. Scott Cl. Up. Ho.

Great seal in  
Wax Appendant

N.<sup>o</sup> 2 An Act directing the sale of the Lands of Richard Heard late of  
Saint Mary's County deceased for the Payment of the Debts of  
the said Richard Heard—

[A Private Act.] Whereas it Appears to this General Assembly upon an examina-  
tion into the truth of the Several Facts set forth in the Petition

of John Heard one of the Administrators of the said Richard Heard that the said Richard Heard died indebted to Daniel Dulany Esquire by Bond dated the twenty Second Day of July Seventeen hundred and sixty seven in the Principal Sum of two hundred and fifty pounds Sterling and interest thereon also to Benjamin Tasker Esquire deceased by Bond dated the twenty first Day of February Seventeen hundred and Sixty Seven in the Principal sum of three hundred and fifty Pounds Sterling and interest thereon also to Hugh Hopewell of Saint Marys County by Bond Dated the twenty sixth Day of August Seventeen hundred and Sixty five in the Principal Sum of twenty two thousand four hundred and eighty three Pounds of Crop Tobacco and interest thereon also to certain John Glassford and Company in the Quantity of Sixty Six thousand and ninety two Pounds of Crop Tobacco by Bonds and interest thereon and to divers other persons in Sundry large and Considerable Sums of Money and Tobacco upon open Account, That the said Petitioner was Security for the said Richard Heard in the Several Bonds aforesaid to the said Daniel Dulany Esquire Benjamin Tasker Esquire and John Glassford and Company That the said Richard Heard died on or about the Tenth Day of March Seventeen hundred and Sixty eight intestate and the said Petitioner and Barbara Heard (widow of the said Richard) Administred on his Estate That Judgments have been Obtained against the said Petitioner as Security for the said Richard Heard for the Debts aforesaid due to the said Daniel Dulany Esquire Benjamin Tasker Esquire and John Glassford and Company and against the said Petitioner and Barbara Heard as Administrators aforesaid by the said Daniel Dulany Esquire Benjamin Tasker's Executrix and Hugh Hopewell for the same Debts aforesaid and that the said Petitioner hath paid to the said Daniel Dulany Esquire in Discharge of his claim aforesaid two hundred and ninety three Pounds Six Shillings and three Pence Sterling and the Costs of suit and to the ffactor of the said John Glassford and Company three hundred and sixty one Pounds thirteen Shillings and seven Pence sterling in discharge of their Tobacco claim aforesaid That the whole Personal Estate of the said Richard Heard is not Sufficient to cover the Debts aforesaid of the said Daniel Dulany Esquire and Benjamin Tasker Esquire and that the Debts aforesaid due to the said Benjamin Tasker's Executrix and Hugh Hopewell and the Simple Contract Claims aforesaid still remain unpaid That the said Richard Heard died Seized and Possessed in ffee of the Several tracts or parcells of Land in the said Petition mentioned that is to say One tract or parcell of Land now called Thompsons Purchase formerly called Mary Taylor's Plantation lying in Saint Mary's County Containing One hundred and Eighty Acres Conveyed by Certain Hopewell Hebb and William

Liber R. G.  
1770  
p. 48

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Liber R. G. Hicks to the said Richard Heard also a tract or Parcell of Land  
 1770 lying in the County aforesaid being part of the Cross Manor containing one hundred Acres given and Conveyed by a certain John Heard deceased to the said Richard Heard Also a tract or parcell of Land called Cross Manor lying in the County aforesaid Containing three Acres conveyed by a certain Brent Nutwell to the said Richard Heard and Also part of a tract or parcell of Land called Heard's Lot formerly called the Cross lying in the County aforesaid and containing one Acre conveyed by a certain Stephen Milburn to the said Richard Heard and that James Heard the son and heir at Law of the said Richard Heard is an infant about the age of Seven Years

And Whereas the said Petitioner hath by his said Petition prayed that an Act may pass to empower him or such other Person as may be Judged more proper to sell and dispose of the said Real Estate of the said Richard Heard in Order to discharge as far as the produce of the Sale of the said Real Estate will extend the Debts aforesaid due to the Creditors of the said Richard Heard and to Reimburse the said Petitioner in such manner as might be thought most expedient

Be it therefore enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the said John Heard shall be and is by virtue of this Act impowered to set up and Expose to sale by way of Public Vendue to the Highest Bidder the said Several tracts or parcells of Land aforesaid and the whole real estate of the said Richard Heard of which he died seised and Possessed or such part thereof as may be necessary for the Purposes aforesaid (two months notice of the time and place of such sale and Vendue being first given in the Maryland Gazette) and the said Lands and Real Estate or such part thereof as may be Sufficient to raise Money and Tobacco to satisfie and pay to the Creditors aforesaid of the said Richard Heard and all the Estate right & title of the said Richard Heard therein respectively at the time of his Death to sell and make over and convey by Indenture of Bargain and Sale or by any other proper Conveyance to any person or persons who shall bid and give the best and highest Price therefor as fully and Effectually to all intents and Purposes as if the said John Heard was himself in his own right Seized of and in the like Estate in Such Lands and Real Estate respectively as the said Richard Heard was Seised of at the time of his Death and the Money and Tobacco arising by such sale or sales to lay out apply and dispose of for and Towards the Payment and Satisfaction of the Several Creditors aforesaid in manner following that is to say. First to the said Benjamin Tasker's Executrix such

part of her claim aforesaid as may remain unpaid after a full and just Administration & application of the Personal Estate aforesaid of the said Richard Heard, Secondly to the said Hugh Hopewell his Tobacco Claim aforesaid and Legal interest thereon and his cost of suit on his Judgment aforesaid Thirdly to Reimburse the said John Heard such sums of Money and Tobacco as he has paid or is Obligated to pay as Security aforesaid for the said Richard Heard after a full application of the whole personal Estate of the said Richard Heard to the Payment of the Creditors aforesaid And lastly to the Payment of the Simple Contract Creditors of the said Richard Heard who shall Deliver to the said John Heard Legal Vouchers of their claims within three Months after such sale or sales in Proportion to the respective claims so delivered in and the Money and Tobacco in hand and unapplied as aforesaid deducting thereout the necessary Charges of such sale and sales and the expence of Obtaining this Law And to the end that the said sale or Sales shall be fairly made and the money and Tobacco arising therefrom duly applied

Liber R. G.  
1770

p. 50

Be it further Enacted that the said John Heard shall before such sale or sales give Bond with Sufficient Sureties to the Deputy Commissary of Saint Marys County for the time being in the same manner and form as is usual in cases of intestates estates (which same Bond shall be by him transmitted to the Commissary General) with Condition to the same That the said John Heard shall and will in all things fulfill and Perform the Directions of this Act with respect to the sale or sales aforesaid and the Application of the Money and Tobacco arising by such sale and Sales and shall and will within six Months from such sale or sales pass and settle an Account thereof with the Deputy Commissary of the County aforesaid for the time being to be by him transmitted as aforesaid to the Commissary General as aforesaid Provided always that no sale or Sales of the said Lands or Real Estate or any part thereof of the said Richard Heard shall be had or Made in Pursuance of this Act untill the said John Heard shall have passed an Account with the Deputy Commissary of the County aforesaid for the time being upon the Personall Estate of the said Richard Heard whereby it may appear what the true and full amount of the said Personal Estate really is and thereby be clearly known whom of the Creditors of the said Richard Heard remain unpaid or cannot be paid by an Application of the said Personal Estate in a due and legal course of Administration And Provided also that this act shall not extend to impower the said John Heard to burthen or charge the Orphan or Orphans of the said Richard Heard or any Person or persons Claiming by from or under him them or any of them with any other Warranty than against the said Richard Heard and his heirs Saving to Barbara Heard the Widow of the said Richard Heard her right and title

Liber R. G. of Dower of and in the Lands aforesaid and the real Estate of the  
1770 said Richard Heard

By the Lower House of  
Assembly October 18.<sup>th</sup>  
1770 Read and Assented  
to  
Signed by Order  
Jn<sup>o</sup> Duckett Cl Lo. Ho.

On behalf of the right  
Honourable the Lord Pro-  
prietary of this Province  
I will this be a Law  
Robt Eden

By the Upper House  
of Assembly 18.<sup>th</sup> Octo-  
ber 1770 Read and As-  
sented to  
Signed by Order  
U Scott Cl. Up. Ho.

The great seal  
in wax appendant

N.<sup>o</sup> 3 An Act to enable the Justices of Somerset County to levy on the  
p. 51 Taxable inhabitants of Somerset Parish in the said County a  
Quantity of Tobacco for the Purposes therein mentioned

[Preamble.] Whereas the Rector, Vestrymen, Churchwardens and other Prin-  
cipal Inhabitants of Somerset Parish in Somerset County by their  
Humble Petition to this General Assembly have set forth that by  
an Act of Assembly of this Province made at a Session of Assembly  
begun and held at the City of Annapolis the first Day of November  
Seventeen hundred and sixty Six the Justices of Somerset County  
were impowered to Assess and Levy on the Taxable Inhabitants of  
Somerset Parish One hundred and twenty thousand Pounds of  
Tobacco for the Purpose of Building Compleating and finishing a  
Chapel of Ease in the said Parish That the said Quantity of Tobacco  
was Levied collected and applied as by the said Act was directed but  
found insufficient for compleating the same and that there yet re-  
mains to be done to render the same Commodious and fit for the  
Reception of the Parishoners the Pews, Chancel and Pulpit and have  
prayed that an Act may pass to enable the Justices of the said  
County to Assess and Levy on the Taxable Inhabitants of the said  
Parish the Quantity of Thirty thousand Pounds of Tobacco for  
erecting compleating and finishing the Pews Chancel and Pulpit  
aforesaid;

[30,000 lb.  
of Tobacco  
to be as-  
sessed on the  
taxable In-  
habitants of  
Somerset  
Parish.]

Be it therefore Enacted by the right Honourable the Lord Pro-  
prietary by and with the Advice and Consent of his Lordships  
Governor and the Upper and Lower Houses of Assembly and the  
Authority of the same That the Justices of Somerset County afore-  
said for the time being shall and may, at their November Court to  
be held in this Present Year, Assess on the Taxable inhabitants of  
Somerset Parish the sum of Thirty thousand Pounds of Tobacco  
together with a Commission to the Sheriff of five per Cent for  
Collecting the same which said Assessment so as aforesaid to be  
made shall be Levied and Collected by the Sheriff of the County  
aforesaid in the same Manner as Public and County Levies are  
Levied and Collected And by him be paid to the Vestrymen and  
Churchwardens aforesaid for the time being who are hereby Author-

ized and required to receive and apply the same to the uses and Purposes aforesaid

Liber R. G.  
1770

Provided always And be it Enacted, That it shall and may be Lawful for the Several and Respective Inhabitants of the said Parish to pay and discharge the Said Sum of Tobacco to be Levied for the uses aforesaid in Money in the same Manner as they now are enabled to pay and Discharge the Public or County Levy and Clause Matter or thing herein to the Contrary Notwithstanding—

By the Lower House  
of Assembly October 18<sup>th</sup>  
1770 Read and Assented  
to

Signed by Order  
Jn<sup>o</sup> Duckett Cl Lo. ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Province I will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly 18<sup>th</sup> October  
1770 Read & Assented to  
Signed by Order  
U Scott Cl. Up. Ho.

the great seal  
in wax appendant

N.<sup>o</sup> 4 An Act for Abolishing June County Courts and for other Purposes therein mentioned p. 52

Whereas it is by experience found that the County Court held in the Month of June within this Province is very Prejudicial and of Great hindrance to the necessary Business of the People in that Season of the Year for Remedy whereof for the future

[Preamble.]

Be it enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That June Court hitherto held in every County Be and is hereby discontinued and abolished and that every matter or thing directed and required by any Law of this Province to be done used and practised at June Court shall for the future be done used and practised at the August Court in every County as fully and effectually to all Intents Constructions and Purposes as the same hath hitherto been done used and practised at June Court aforesaid any Law usage or Custom to the Contrary thereof in any wise notwithstanding.

[Every Matter or Thing done at June Court, shall in future be done at August Court in every County.]

Whereas by the Discontinuing and abolishing June Court it is thought reasonable That the time for limittin the Continuance of Actions in the several and respective County Courts within this Province should be shortened

[By abolishing June Court.]

Be it therefore Enacted that all Actions returnable to the next November County Courts or thereafter to be commenced in any County Court of this Province may be continued to the end of the third Court after the Appearance Court and no Longer unless it shall appear by affidavit to the Satisfaction of the Court that Testimony Material in such suit is really wanting and that the party alledging the same to be wanting or his Attorney or Agent hath used his reasonable endeavours for procuring such Witnesses or

[Actions how long to be continued.]



Liber R. G. 1770 Testimony any former Law usage or custom to the Contrary thereof notwithstanding

[By Reason of the Multiplicity of Business.] And Whereas it is found by experience from the great Multiplicity of Criminal and Civil Business in Baltimore and Kent Counties that it is impracticable to execute the same without an Additional Space of time allotted for that purpose

[The County Courts for Baltimore and Kent Counties, when to be held.] Be it therefore Enacted that for the future the County Court for Baltimore County shall be held on the Monday before the first Tuesday in the Month of March August and November Yearly and for Kent County on the Monday before the third Tuesday of the said Months and that all Actions Process and Proceedings as well Criminal as Civil which are depending and undetermined in the said County Courts or returnable to the first and third Tuesdays of November next shall be construed Judged and taken to be in the same Situation State and Condition on the Monday before the first and third Tuesdays of November next as they Would be on the said first and third Tuesdays of November next And the Justices of the said County Courts for the time being may on the Monday before the first and third Tuesdays of November next Proceed to the hearing and Determining all Actions Process and Proceedings respectively as the case may require as fully and effectually to all intents constructions and Purposes whatsoever as the Justices of the said County Courts could or might Lawfully do on the first and third Tuesdays of November next any Law usage or custom to the contrary thereof notwithstanding

p. 53

[Continuance.] [This Act to continue and be in force for and during the Term of Three Years, and to the End of the next Session of Assembly, that shall happen after the said Three Years.]

By the Lower House of Assembly October 18<sup>th</sup> 1770 Read and assented to  
Signed by Order  
Jno Duckett Cl Lo. Ho.

On behalf of the right Honourable the Lord Proprietary of this Province I will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of Assembly 18<sup>th</sup> October 1770 Read and Assented to  
Signed by Order  
U Scott Cl. Up. Ho.

the great seal in  
Wax appendant

N.<sup>o</sup> 5 An Act for the Adjournment and Continuance of the High Court of Appeals and for the Adjournment of the Provincial Court and other Purposes therein mentioned

[Preamble.] Whereas an Adjournment of the High Court of Appeals is at this time Necessary many of the Members of the Lower house being Absent thro' sickness and several of the Members who Attend on their duty cannot be dispensed with having also necessary Business in the said Court

Be it therefore Enacted by the right Honourable the Lord Pro-



proprietary by and with the Advice and Consent of his Lordships Governor and the upper and Lower Houses of Assembly and the Authority of the same that all causes Pleas Process and Proceedings now depending in or returnable to the said High Court of Appeals now sitting and which cannot otherwise so long continue shall be and are by Virtue of this Act Adjourned and continued untill the third Tuesday in February next and shall then be in the same Plight and Condition as they now are any Law Usage or Custom to the contrary notwithstanding

Liber R. G.  
1770  
[Causes, &c.  
in the Court  
of Appeals,  
how long  
continued.]

And whereas by reason of the Present Sitting of the General Assembly the Provincial Court has been Adjourned to the twentieth Day of October instant.

Be it Enacted that the said Provincial Court shall be and is hereby further adjourned to the first Monday in April next and that all causes Pleas Process and Proceedings now depending in the said Court shall upon such further Adjournment be in the same Plight and Condition as they would be on the said twentieth Day of October instant.

[Provincial  
Court Ad-  
journed to  
1<sup>st</sup> Monday  
in April.]

And be it further enacted that all causes Pleas Process and proceedings now depending in the said Provincial Court and which cannot by virtue of An Act Entituled an Act to Limit the Continuance of Actions in Several Courts within this Province and ascertaining the manner of taking the Evidence of Seafaring Men and for granting Appeals from the Chancery Court to the Governor and Council be continued to April Provincial Court next shall and may at the Discretion of the Justices of the said Provincial Court be Continued from the said first Monday in April next until the April Provincial Court next and shall upon such Continuance be in the same Plight and Condition as they would be on the said first Monday of April next any Law Usage or Custom to the Contrary Notwithstanding

[All Causes,  
&c. may, at  
the Discre-  
tion of the  
Justices, be  
further con-  
tinued to the  
April Pro-  
vincial  
Court.]

By the Lower House of  
Assembly October 18.<sup>th</sup>  
1770. Read and Assented  
to

Signed by Order  
Jn<sup>o</sup> Duckett Cl. Lo. Ho.

On behalf of the right  
Honourable the Lord  
Proprietary of this Pro-  
vince I will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly 18.<sup>th</sup> October  
1770 Read and Assented  
to

Signed by Order  
U. Scott Cl Up. Ho.

p. 54

the great seal, in  
wax appendant

N.<sup>o</sup> 6 An Act to Invest John Clayton with an exclusive Privilege and Benefit of making and selling a Machine for threshing of Wheat on a Model by him invented

Whereas John Clayton by his Humble Petition to this General Assembly has set forth That he could construct from his own Invention and sell at a reasonable Price a Machine that with the Assistance of a man and Horse would Thresh Fifty Bushels of wheat

[A Private  
Act.]

Liber R. G. in a Day and thereby prayed, That an exclusive right Priviledge  
 1770 and Benefit of making such a Machine or of Permitting the same  
 to be made should be secured to him his Executors Administrators  
 and Assigns

And Whereas viewing the Model of the said Machine it is thought  
 that a Machine constructed thereon would answer the Purpose men-  
 tioned in the said Petition and be of great Utility to this Province and  
 it appearing reasonable to this General Assembly that the said John  
 Clayton should reap for a Stated time some Advantage from his  
 said Invention

Be it Therefore Enacted by the right Honourable the Lord Pro-  
 prietary by and with the Advice and Consent of his Lordships  
 Governor and the Upper and Lower Houses of Assembly and the  
 Authority of the same that the sole and Exclusive right Privilege  
 and benefit of making Vending and selling within this Province  
 Threshing Machines Similar to the Model exhibited by the said  
 John Clayton to the View of this Assembly or Constructed on the  
 General Principles thereof shall be and is hereby vested in the said  
 John Clayton his Executors Administrators and Assigns for and  
 during the space of Ten Years from the end of this Session of  
 Assembly—

And be it further Enacted that if any Person shall at any time  
 during the said Term of Ten Years as aforesaid make Construct  
 vend or Sell within this Province any such Machine for thresh-  
 ing of Wheat without a License in writing first had and Obtained  
 from the said John Clayton his Executors Administrators or Assigns  
 for that Purpose or shall purchase or use any such Machine as  
 aforesaid within the time aforesaid Made by any person other than  
 the said John Clayton his Executors Administrators or Assigns or  
 of some person Licensed by him or them for that Purpose every  
 Person so making Constructing Vending or Selling Purchasing or  
 using such Machine shall forfeit and pay to the said John Clayton  
 his Executors Administrators or Assigns the sum of Fifty Shillings  
 Current Money to be Recovered by Warrant before one Justice of  
 the Peace with Costs of Suit

p. 55 Provided that the said John Clayton his Executors Administrators  
 or Assigns shall not recover or Recieve more than one Penalty for  
 the making constructing vending or selling Purchasing or using  
 any one Machine

By the Lower House of  
 Assembly October 18<sup>th</sup>  
 1770 Read and Assented  
 [to]

Signed by Order  
 Jno Duckett Cl Lo. Ho.

On behalf of the right  
 Honourable the Lord  
 Proprietary of this Prov-  
 ince I will this be a Law  
 Rob.<sup>t</sup> Eden

By the Upper House of  
 Assembly 18<sup>th</sup> October  
 1770 Read and Assented  
 to

Signed by Order  
 U Scott Cl. Up. Ho.

the great seal in  
 wax appendant

- N.<sup>o</sup> 7 An Act to give Thomas Harrison further time to effect the Removal of a Nuisance in Baltimore Town in Baltimore County. Liber R. G.  
1770

Whereas Thomas Harrison by his Humble Petition to the General Assembly of this Province has set forth that in consequence of the Indulgence hitherto granted him he has nearly effected the Removal of the Nuisance directed to be Removed by an Act entituled An Act to remove a Nuisance in Baltimore Town in Baltimore County but that he shall not be able to finish and Compleat the same within the time Allotted him by an Act entituled an Act to give Thomas Harrison a further Time to effect the Removal of a Nuisance in Baltimore Town in Baltimore County [Preamble.]

And Whereas it Appears to this Present General Assembly that the said Thomas Harrison has made great Progress in effecting the said Removal and taken great pains to finish the same And Whereas a further time appears to this General Assembly Reasonable and Necessary

Be it therefore Enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the said Thomas Harrison for Effecting the Removal of his part of the said Nuisance have the further time of two years from the expiration of the time Limited by the Act Last aforesaid [Two years further Time given:]

And be it further Enacted that the Bond which has heretofore been passed and Executed by the said Thomas Harrison for effecting the said Removal shall have Effect and Operation and stand only as a Security for Effecting the Removal of his part of the said Nuisance within the time Given by this Act [and his Bond to stand only as a Security by this Act.]

By the Lower House of  
Assembly October 18<sup>th</sup>  
1770 Read & Assented to  
Signed by Order  
Jno Duckett Cl Lo Ho

On behalf of the right  
Honourable the Lord  
Proprietary of this Province I will this be a Law  
Rob.<sup>t</sup> Eden

By the upper House of  
Assembly 18<sup>th</sup> October  
1770 Read and Assented  
to  
Signed by Order  
U Scott Cl. Up. Ho.

the great seal in  
Wax appendant

- N.<sup>o</sup> 8 An Act to empower the Justices of Somerset and Worcester Counties to Levy on the Taxable Inhabitants of Stepney Parish in said Counties the Quantity of Eighty Thousand Pounds of Tobacco for the uses therein mentioned. p. 56

Whereas the Vestrymen Church Wardens and Sundry of the Inhabitants of Stepney Parish lying partly in Somerset and partly in Worcester Counties have by their Humble Petition to this General Assembly set forth that the said Parish is very extensive as to its bounds That the Inhabitants of the said Parish residing at or near [Preamble.]

Liber R. G. Broad Creek are very remote from any Place of Public Worship  
1770 and have prayed that an Act may pass to enable the Justices of Somerset and Worcester Counties to Levy on the Taxable Inhabitants of Stepney Parish aforesaid in Somerset and Worcester Counties a Quantity of Eighty Thousand Pounds of Tobacco at two Equal Assessments for the Purpose of Purchasing a Lott of Ground at or near Broad Creek Bridge in the said Parish and Erecting and Building thereon a Chapel of Ease to the said Parish.

[The Vestrymen and Church Wardens to Purchase Two Acres of Land in Worcester County, and to agree with a Person or Persons to build a Chapel of Ease thereon.] Be it Therefore Enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Vestrymen and Church Wardens of Stepney Parish aforesaid which Lies in Somerset and Worcester Counties aforesaid for the time being or the Major part of them be and are hereby authorized impowered and required to purchase in Fee in the name of the Vestrymen and Church Wardens of the said Parish for the time being Two Acres of Land lying in Worcester County in the Parish aforesaid on the north side of Broad Creek and at or near Broad Creek Bridge and to treat and agree with Such Person or Persons as they or the Major Part of them shall think proper to employ to build a Chapel of Ease thereon for the use of the Inhabitants of the said Parish which said Land when so Purchased and the said Chapel when so Built shall be and is hereby Declared to be constituted and Deemed the Land and Chapel of Ease of the said Parish and the said Chapel forever hereafter shall be supported and repaired at the Charge of the said Parish.

The Justices of Somerset and Worcester Counties to Assess, on the taxable Inhabitants of Stepney Parish 80,000 lb. of Tobacco, in 1770 and 1771 ;] p. 57 And be it further Enacted by the Authority [advice] and Consent aforesaid that for the Building of the said Chapel of Ease on the North side of Broad Creek the Justices of Somerset and Worcester Counties for the time being shall and they are hereby Authorised and impowered to Assess and Levy on the Taxable Inhabitants of the said Parish the Quantity of Eighty thousand Pounds of Tobacco by two Equal Assessments in the Years of our Lord Seventeen hundred and Seventy and Seventeen hundred and seventy one together with the Sheriffs Salary of five Per Cent for collecting the same which said Assessments shall respectively be made by the Justices aforesaid in Proportion to the Taxable Inhabitants of the said Parish of Stepney residing in their Several and Respective Counties and shall be Collected by the Sheriffs of Somerset and Worcester Counties from the Several Taxable Persons of the said Parish who shall reside within their Counties the said Quantities of Tobacco when so as aforesaid collected shall be paid by such Sheriffs Respectively to such Vestry and Church Wardens aforesaid who are hereby Authorised to receive and apply the same to the uses aforesaid—

[to be paid to the Vestry and Church Wardens;] [and may be discharged as Public or County Levies now are.]

Provided always and be it Further Enacted That it shall and may be Lawfull for the Several and Respective Inhabitants of the Parish



aforesaid to pay and discharge the said several Quantities of Tobacco so to be Levied and raised for the uses aforesaid in money in the same manner as they now are enabled to pay and discharge the Public or County Levies every Clause matter or thing herein to the Contrary Notwithstanding

By the Lower House of  
Assembly 23<sup>d</sup> October  
1770 Read and Assented  
to

Signed by Order  
Jn<sup>o</sup> Duckett Cl. Lo. Ho.

On Behalf of the right  
Honourable the Lord  
Proprietary of this Prov-  
ince I will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper house of  
Assembly Oct.<sup>r</sup> 23<sup>d</sup> 1770  
Read and Assented to  
signed by Order  
U. Scott Cl. Up. Ho

the great seal in  
wax appendant

N.<sup>o</sup> 9 An Act for empowering the Justices of Queen Anns and Talbot Counties to Assess the Taxable Inhabitants of Saint Pauls Parish in the said Counties the sums of Tobacco therein mentioned for building a Church and repairing the Chapel in the said Parish.

Whereas the Rector Vestrymen and Church Wardens of Saint Pauls Parish lying partly in Queen Anns and partly in Talbot County have by Petition to this General Assembly represented that by Non attendance of the Clerk of Talbot County at his Office on a day appointed by Law for his Attendance the Assessments directed by an Act entituled a Supplementary Act to the Act entituled an Act for laying out anew and settling and ascertaining the future Bounds and Limits of Saint Lukes Christ Church and Saint Johns Parishes in Queen Anns County and of Saint Pauls Parish lying partly in Queen Anns and partly in Talbot County could not be made so that the Design of the said Supplementary Act is entirely defeated and the Parish in general and the Rector Vestrymen and Church Wardens in Particular Subjected to great Inconveniences and prayed that an Act may now pass to impower the Justices of Talbot and Queen Anns Counties to assess at the three next ensuing November Courts on the said Taxable Inhabitants the Several Sums of Tobacco which were to have been Assessed by the said Supplementary Act. [Preamble.]

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the Clerks of Queen Anns and Talbot Counties shall transmit to each other in Order to be delivered to the Justices of their respective Counties at their November Courts for this Present Year and at their two next succeeding November Courts by the fifth Day thereof and which shall be delivered accordingly Certificates under their Hands of the Number of Taxables which are and shall be in that part of the said Parish which lieth in their Counties respectively for each of the aforesaid Respective Years And the

p. 58  
[The Clerks  
of Queen  
Anne's and  
Talbot Coun-  
ties to trans-  
mit to each  
other Certifi-  
cates of the  
number of  
Taxables in  
St. Paul's  
Parish, at  
their two  
next succeed-  
ing Novem-  
ber Courts;]

Liber R. G. Clerk of Queen Anns County shall cause to be Delivered to the  
<sup>1770</sup>  
 and the Clerk of Queen Anne's County to deliver to the Justices of Talbot County a Certificate, how much Tobacco was assessed by a former Act, under Penalty.] Justices of Talbot County at their November Court for this Present Year by the fifth Day thereof a Certificate under his hand how much of the sums of Thirty Thousand and Eighty Thousand Pounds of Tobacco directed to be Assessed by an Act of Assembly entitled an Act for laying out a New and Settling and ascertaining the future Bounds and Limits of Saint Lukes Christ Church and Saint Johns Parishes in Queen Anns County and Saint Pauls Parish lying partly in Queen Anns and Partly in Talbot County was Assessed in Pursuance of the said Act all which Services the said Clerks shall Respectively Perform under the Penalty of Five hundred Pounds of Tobacco for each Neglect to be recovered before one Majistrate and to be applied one half to the informer and the other half towards defraying the Expences of the Parish aforesaid and the said Clerks shall be paid by the Vestrymen of the said Parish for their respective Services the sum of twenty Pounds of Tobacco for each Year and no more.

[One Third Part of the Sums directed by a former Act, to be assessed this Present Year, and the remaining Two Thirds the Two next succeeding Years.] And be it further Enacted that the Justices of Queen Anns and Talbot Counties shall at their November Courts for this Present Year and at each of their November Courts for the two next Succeeding Years Assess on the Taxable Inhabitants of the said Parish living in the said Counties respectively one third Part of the sums which were directed by the Act entitled a Supplementary Act to the Act entitled an Act for laying out anew and Settling and ascertaining the future Bounds and Limits of Saint Lukes Christ Church and Saint Johns Parishes in Queen Anns County and of Saint Pauls Parish lying partly in Queen Anns and partly in Talbot County to be Assessed on them respectively.

[Which may be paid as other Parish Taxes are.] And be it further Enacted that the aforesaid Sums of Tobacco when Assessed as aforesaid shall be collected by the Sheriffs of the said Counties Respectively together with their Commission of five per Cent for Collecting and paying the same and shall be paid by the

p. 59

Inhabitants aforesaid in the same Manner that other Parish Taxes are Collected and paid and Shall be by the said Sheriffs accounted for and paid to the Vestrymen and Church wardens of the Parish aforesaid for the time being by the time and in the Manner by and in which he is Obligated to Account with and pay other Public Creditors and the said Vestrymen and Church Wardens are hereby Authorized and impowered to apply three fourth parts thereof towards building and Compleating the Parish Church of the said Parish now erecting and the other fourth part thereof towards Building and Compleating an Addition to and Galleries in the aforesaid Chapel called Wye Chapel in such manner as shall seem to them most Necessary and convenient and to no other use or purpose whatsoever

[How to be applied.]

[A former Act repealed.]

And be it further Enacted that the aforesaid Act Entitled a Supplementary Act to the Act entitled an Act for laying out a new and

settling and ascertaining the future bounds and Limits of Saint Lukes Christ Church and Saint Johns Parishes in Queen Anns County and of Saint Pauls Parish lying partly in Queen Anns and partly in Talbot County Shall be and is hereby repealed

Liber R. G.  
1770

By the Lower House of  
Assembly 23.<sup>d</sup> October  
1770 Read and Assented  
to

Signed by Order  
Jn<sup>o</sup> Duckett Cl. Lo. Ho

On Behalf of the right  
Honourable the Lord  
Proprietary of this Pro-  
vince I will this be a Law  
Rob<sup>t</sup> Eden

By the Upper House of  
Assembly Oct.<sup>r</sup> 23.<sup>d</sup> 1770  
Read and Assented to

Signed by Order  
U Scott Cl. Up. Ho.

the great seal in  
wax appendant

N.<sup>o</sup> 10 An Act to oblige the several County Clerks to have with them on their Office Days the four last Courts Dockets and papers.

Whereas by the Act to Enable the several and respective County Clerks within this Province to remove some of the County Records and Papers from the Public Offices a Liberty is given to the said Clerks to remove and take out their four last Courts Dockets and papers next preceeding the time of such Taking out and the same to keep in their Own Houses for their Convenience under which Liberty it is found that some of the said Clerks who live a Considerable Distance from their Public Offices omit to bring with them the said Dockets and papers on Office Days by which means many People who go to the said Offices to get Bills of Cost or issue Executions are disappointed in having their Business done.

[Preamble.]

Be it therefore enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that every County Clerk in this Province shall bring with him Upon every Office Day on which he is Obligated by Law to Attend at the County Court House of his respective County the four last Courts Dockets and Papers next Preceeding every such Day of Attendance under the Penalty or forfeiture of thirty Shillings Current Money to the Party Grieved for every Neglect or Omission thereof to be recovered before one Justice of the Peace with Costs

[County Clerks upon every Office Day, to bring with them the Four last Courts Dockets, &c. under Penalty.]

By the lower House of  
Assembly 23.<sup>d</sup> October  
1770 Read and Assented  
to

Signed by Order  
Jn<sup>o</sup> Duckett Cl Lo. Ho

On behalf of the right  
Honourable the Lord  
Proprietary of this Pro-  
vince I will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Oct<sup>r</sup> 23.<sup>d</sup> 1770

Signed by Order  
U Scott Cl. Up. Ho.

p. 60

the great seal in  
wax appendant

N.<sup>o</sup> 11 An Act to remedy a Defect in the Title of Bartholomew Pomeroy  
 Liber R. G. of London Merchant to a tract or parcel of Land called Renchers  
 1770 Adventure lying in Prince Georges County

[A Private Act.] Whereas it Appears to this General Assembly upon an Examination into the Truth of the Several ffacts set fforth in the Petition of Bartholomew Pomeroy of London Merchant Survivor of William Tower and Joseph Jansen That a certain John Brooke late of Calvert County deceased did on the twenty sixth Day of January Seventeen hundred and fforty three ffour [*sic*] pass and Execute his Bond to a certain Thomas Hodgkin late of Prince George's County Deceased in the Penalty of One hundred Pounds Sterling conditioned for the conveying and Assuring to the said Thomas Hodgkin his heirs and Assigns before the Tenth Day of August Seventeen hundred and forty Six one tract or parcel of Land being part of a tract or parcel of Land called Rencher's Adventure lying situate and being in Prince Georges County aforesaid then in the Possession of the said John Brooke contained and circumscribed within the Lines Limits and distances hereinafter expressed Viz<sup>t</sup> Beginning at the end of Lovejoys and Moberlys North Seven Degrees East Line and runing thence north seven Degrees East sixty four Perches then north fifty six degrees East Twelve Perches to a spanish Oak by a Pocoson North forty six degrees East One hundred ninety seven Perches North Eighty three degrees West ninety five Perches North eighteen East seventy four perches north nineteen degrees West fifty Perches to a bounded Poplar then East by North One hundred and sixty Perches south five Degrees East One hundred and Eight Perches North forty three Degrees East one hundred sixteen Perches North thirty three and an half Degrees East twelve Perches to a bounded Hickory by a Branch side thence South Seventy eight Degrees East four hundred Perches to a small Hickory in Leonard Brooke's old Field thence south forty degrees west fifty Six Perches South sixteen degrees West One hundred Seventy three Perches to the Red Oak of London-derry thence south forty eight degrees west One hundred twenty  
 p. 61 four Perches to the Branch between John Sassers then west north west twelve Perches north fifty degrees east One hundred and eight Perches North fifty one degrees west six Perches to Sassers Maple at the Head of the Branch then south ten degrees west to the Dividing Line and from thence to the beginning containing and Laid out for Six hundred and Sixty four Acres be the same more or Less That the said Thomas Hodgkin on the said twenty sixth Day of January Seventeen hundred and forty three four Passed and Executed his Bond to the said John Brooke in the Penalty of One hundred Pounds Sterling Money conditioned for the Payment of fifty Pounds Sterling Money at four Payments by the said tenth Day of August Seventeen hundred and forty six in Consideration of the said tract of Land so to be conveyed by the said John Brooke to the said Thomas Hodgkin



as aforesaid That the said sum of fifty Pounds Sterling Money hath been paid on the Bond last aforesaid by the said Thomas Hodgkin in his Lifetime to the said John Brooke and his Legal Representatives That the said Thomas Hodgkin afterwards that is to say on the twenty ninth Day of March Seventeen hundred and fifty four did Mortgage the said Tract of Land called Renchers Adventure (amongst other things) to the said Bartholomew Pomeroy, William Tower and Joseph Janson as Assignees of John Philpot and John Hutchinson Merchants for the Consideration of Six hundred and fifty Pounds eighteen Shillings and five pence sterling the said Mortgage to be void on the Payment of the said Sum of Six hundred and fifty Pounds Eighteen Shillings and five Pence Sterling and Interest on/or before the tenth Day of April Seventeen hundred and fifty five That the said John Brooke is Dead leaving issue John Brooke his Eldest son and heir and that the said John Brooke the Son is dead leaving Issue John Brooke his eldest Son and Heir an infant now about six or Seven Years of Age That the said Joseph Janson and William Tower are Dead and that no Conveyance hath been made by the said John Brooke the Obligor or his heirs in Pursuance of his Bond aforesaid whereby the Legal Title of and in the said Parcel of Land hath descended to and now is in the said John Brooke the infant aforesaid That the said Parcel of Land in the Condition of the Bond aforesaid first mentioned was in the Possession of the said Thomas Hodgkin for many Years before and at the time of his Death and that after his Death a certain Brian Philpot Attorney in fact for the said Mortgagees entered upon the said Parcel of Land and took Possession of the same for them and on their Behalf and that the said Mortgagees and the said Petitioner Survivor aforesaid under that entry and Possession have kept and held the said Parcel of Land without any interruption by persons claiming or pretending title to the same And that the sum of three hundred and fifteen Pounds fifteen Shillings and one Penny Sterling Money is now due on the said Mortgage exclusive of interest And Whereas the said Bartholomew Pomeroy hath by his Petition aforesaid Prayed that an Act of Assembly may Pass to remedy the Defect in his title to the Land aforesaid for want of a Conveyance thereof from the said John Brooke the Obligor in Pursuance of his Bond aforesaid and to confirm and Secure the same against the heirs of the said John Brooke and his and their heirs and all claiming under him and them saving to the said Thomas Hodgkin his heir at Law his right and Equity of Redemption of in and to the same Land

Liber R. G.  
1770

p. 62

Be it therefore Enacted by the right Honourable the Lord Proprietary by and with the Advice and consent of his Lordship's Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the said John Brooke the infant aforesaid his heirs and Assigns and all others the heirs and Assigns of the said

Liber R. G. 1770 John Brooke the Obligor aforesaid and John Brooke his son and heir aforesaid and all manner of Person & Persons whatsoever claiming the said parcel of Land or any part thereof as heir or heirs or Assigns of or from by or under the said John Brooke the Obligor John Brooke his son & heir aforesaid or the said John Brooke the infant aforesaid be and is and are hereby declared to be barred and forever hereafter precluded of and from all right title and Claim of in and to the said parcel of Land called Renchers Adventure in the Condition of the Bond first aforesaid mentioned and therein and in this Act Specified and described as fully amply and Completely to all intents and Purposes as if a good Sufficient and Legal Conveyance and Assurance of the same parcel of Land had been made and Executed by the said John Brooke the Obligor to the said Thomas Hodgkin his heirs and Assigns in Pursuance of his bond so by him the said John Brooke passed and executed to the said Thomas Hodgkin as aforesaid And that the said Bartholomew Pomeroy his heirs and Assigns shall be and is & are hereby declared to be seised and Possessed of and in the same Estate right and title of in and to the said parcel of Land and every part and parcel thereof as fully and Completely to all intents and Purposes as if a good Sufficient and legal Conveyance and Assurance of the same parcel of Land had been made and executed to the said Thomas Hodgkin his heirs and Assigns by the said John Brooke the Obligor in Pursuance of his Bond aforesaid so by him passed and executed to the said Thomas Hodgkin as aforesaid Saving to the heir of the aforesaid Thomas Hodgkin and his heirs and Assigns his and their right and title of Equity of Redemption of and in the same Parcel of Land and every part thereof And saving also to the said John Brooke the infant the Liberty and Priviledge of shewing cause if any he hath or can shew to the General Assembly of this Province at any time within Six Months after he arrives to the Age of twenty One Years or at the next General Assembly after that time why the said Bond so as aforesaid Passed and Executed by the said John Brooke the Obligor to the said Thomas Hodgkin ought not to have been Specifically Performed and upon such cause shewn to the Satisfaction of the said General Assembly that then this Act shall be totally repealed and made void Any Clause matter or thing herein before contained to the Contrary in any wise notwithstanding

By the Lower House of  
Assembly 23.<sup>rd</sup> October  
1770 Read & Assented to  
signed by Order  
Jn<sup>o</sup> Duckett Cl Lo. ho.

On behalf of the right  
Honourable the Lord  
Proprietary of this Province I will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Oct.<sup>r</sup> 23.<sup>d</sup> 1770  
Read and Assented to  
Signed by Order  
U. Scott Cl. Up. Ho.

the great seal in  
wax appendant

N.º 12 An Act to unite the Free Schools of Somerset and Worcester Counties Liber R. G.  
1770

Whereas it is represented to this General Assembly by Sundry the Inhabitants of Somerset and Worcester Counties that the free Schools in the said Counties are so scituate as that no Convenient place of boarding the Scholars can be had nor will the funds Provided for each seperately afford sufficient encouragment for proper Masters and that in Order to have the Lands and Houses of the said two Schools sold and one School Erected in a proper place convenient to both Counties and the funds of both Consolidated into one; sundry Persons have Subscribed large Sums of Money to further the Completion of so laudable an Institution and have prayed that an Act might pass for that purpose which this Assembly have thought reasonable to grant [Preamble.]

Be it therefore Enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that as soon as may be after the end of this Present session of Assembly there shall be Erected one School to be called by the name of Eden School for the said Countys of Somerset and Worcester at the most Convenient Place to both of the said Counties at the discretion of the Visitors or the Major part of them hereafter nominated appointed and impowered by this act any former Law to the Contrary thereof notwithstanding [Eden School to be erected for Somerset and Worcester Counties.]

And be it further Enacted that the Persons hereafter named to wit The Reverend M.<sup>r</sup> Samuel Stone and Mess.<sup>rs</sup> Levin Gale, Thomas Dashiell, Thomas Hayward, Andrew Francis Cheney, William Adams, Henry Lowes, Josiah Polk George Dashiell Thomas Bruff of Somerset County and Mess.<sup>rs</sup> William Allen, Littleton Dennis, Benton Harris, Henry Johnson George Hayward Lemuel Purnell Thomas Martin, Peter Chaille, John Selby and Joseph Dashiell of Worcester County shall be visitors of the said School shall Qualify in the same manner and be Subject to the same Penalties and be invested with the same rights Priviledges Powers & Authorities to every intent and purpose as the Visitors of the other County Schools within this Province and shall have Succession in like manner so that every vacancy be filled up with a Resident of that County wherein the said Vacancy may happen so that an equal Number of Visitors of each County may be kept up any Law to the Contrary thereof notwithstanding [Visitors nominated.]

And be it further Enacted That of all Duties Taxes and impositions hereafter to be Collected for the use of the County Schools within this Province there shall be paid by the Treasurers of the Western & Eastern Shores to the Visitors aforesaid or the Major part of them or their Order two equal Devidends by them to be applied and Expended to and for the use and Benefit of the said School p. 64

[And every Vacancy filled up with a Resident of the County where it may happen.]

[All Duties, &c. imposed, to be paid to the Visitors, and by them applied to the use of the school.]

Liber R. G. in the like manner as the Dividends due to the other County Schools  
1770 are by Law directed to be applied.

And Whereas for defraying part of the Expence and Charge of Building the said School sundry Inhabitants of the said Counties of Somerset and Worcester have Subscribed divers sums of Money, And Whereas there is a Considerable Sum of Money in the hands of the Visitors of said Schools chosen under a former Act of Assembly for the said Counties of Somerset and Worcester

[The Visitors constituted by this Act, empowered to receive all Monies subscribed, or which may be in the Hands of the Visitors under a former Law; and also to make Sale of Two Schools and the Land thereto belonging.]

Be it Enacted that the Visitors constituted by this Act or the Major part of them shall and they are hereby impowered to receive all Monies by the said persons subscribed and all Monies in the hands of the Visitors Chosen under the said former Law and such Subscribers and Visitors are hereby directed to pay the Monies in their hands and their Several Subscriptions to the Visitors appointed by this Act and in case of Neglect or Refusal to pay the said Visitors or the Major part of them may and they are hereby authorized to sue for recover and receive the same.

And be it further Enacted That the said Visitors or the Major part of them are hereby Authorized impowered and required to make sale by way of Public Vendue of the Schools of the said two Counties of Somerset & Worcester with the Land thereto belonging to the best and highest bidder and convey the same in Fee Simple to the Purchaser or Purchasers his or their heirs and Assigns forever and the Money arising by the sale thereof as well as from Subscriptions shall be applied to the use of the said School any Law usage or Custom to the Contrary notwithstanding

p. 65 By the Lower House of  
Assembly October 24<sup>th</sup>  
1770 Read and Assented  
to  
Signed by Order  
Jn<sup>o</sup> Duckett Cl Lo ho

On behalf of the right  
Honourable the Lord  
Proprietary of this Province  
I will this be a Law  
Rob.<sup>t</sup> Eden

By the upper house of  
Assembly Oct.<sup>r</sup> 24.<sup>th</sup> 1770  
Read & Assented to  
signed by Order  
U Scott Cl. Up. Ho

the great seal in  
wax appendant

N.<sup>o</sup> 13 An Act to Enable the Justices of Dorchester County Court to Assess and Levy on the Taxable Inhabitants of the said County a Quantity of Tobacco for the Purpose of Building a Court House.

[Preamble.]  
[The Justices of Dorchester County to levy on the taxable Inhabitants, by Three equal Assessments, a Quantity not

Whereas Sundry of the Inhabitants of Dorchester County by their Petition to this General Assembly have set forth that the Present Court House of the said County is much out of repair and so small and inconvenient in every respect as to be unfit to transact the Public Business in and have therefore humbly prayed that it may be Enacted

And be it Enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the



same that it shall and may be Lawful to and for the Justices of Dorchester County Court for the time being and they are hereby Authorised impowered and required at the time of Laying their County Levy in the Years Seventeen hundred and Seventy, Seventeen hundred and seventy one and Seventeen hundred & Seventy two to assess and Levy on the Taxable Inhabitants of the said County by three Equal Assessments a Quantity of Tobacco not exceeding Two hundred thousand Pounds of Tobacco together with the Sheriffs Salary of Five Per Cent for collection which said Quantity of Tobacco so to be Assessed and Levied shall be collected by the Sheriff of the said County who is hereby required and directed to pay the same to the Commissioners hereinafter named or the Major part of them or their Order for the use and purpose of erecting building finishing and Completing a New Court House for the said County on the most Convenient part of the Public Ground where the Present Court House stands

Liber R. G.  
1770  
exceeding  
200,000 lb.  
of Tobacco,  
to be paid to  
Commission-  
ers hereinafter  
named;]

Provided always and be it Enacted that it Shall and may be Lawful for the Several and respective Inhabitants of the said County to Pay and Discharge the said Quantity of Tobacco so as aforesaid to be Assessed and Levied in money in the same Manner and at the same rate that they are now enabled to pay and discharge the Public & County Levy

[which may  
be dis-  
charged as  
the Publick  
and County  
Levy.]

And be it Enacted by the Advice Consent and Authority aforesaid that Mess.<sup>rs</sup> Charles Dickinson, Robert Goldsborough, William Ennalls Robert Harrison & John Goldsborough Junior be and are hereby Appointed Commissioners and as such they or the Major part of them are Empowered and Directed to meet at the Town of Cambridge in the said County on or before the fifteenth Day of March next and afterwards as they shall see Occasion in Order to treat and agree with an Undertaker or undertakers Workman or Workmen to build finish & Complete the Court House so as aforesaid to be Erected and to do and perform such other matters and things relative to the same as they shall Judge necessary

[Commis-  
sioners  
nominated,  
who may  
agree with  
Workmen,  
&c.]

p. 66

And be it further Enacted that such New Court House when built and Completed shall thence afterwards be held taken and used as the Proper Court House of the said County and the Clerk for the time being of the said County Court is hereby Authorised Directed and required immediately after the finishing and Completing the same to remove or cause to be Removed to a Convenient Room or apartment for that Purpose to be provided therein from the County Office in the Court house that now is all the Books Rolls Papers and other Records to the said County or County Court belonging And the said Justices for the time being shall direct and cause a list of all the said Records and Books to be made and Signed by the said Clerk and entered upon Record among their Proceedings

[Such new  
Court-  
House,  
when fin-  
ished, to be  
proper  
Court-House  
of the  
County, &c.]

Liber R. G. And be it further enacted that the said Justices for the time being  
 1770 are hereby Authorised impowered and required after the said Records  
 [The materials of the are removed, as aforesaid to sell by way of Public Vendue for Ready  
 old Court- Money only to the best bidder or bidders all the Materials of the  
 House to be said Court House that now is and the Money arising from such  
 sold, and any sale as well as any surplus that may remain of the Tobacco herein-  
 overplus before directed to be Levied They are hereby further required to  
 Money or apply to the use of the said County towards Defraying the Charge  
 Tobacco to be applied to thereof any Law Statute usage or Custom to the Contrary Not-  
 the use of the County.] withstanding

By the Lower House of  
 Assembly 25<sup>th</sup> Octo.<sup>r</sup>  
 1770 Read & Assented to  
 Signed by Order  
 Jn<sup>o</sup> Duckett Cl. Lo. ho.

On behalf of the right  
 Honourable the Lord  
 Proprietary of this Province I will this be a Law  
 Rob.<sup>t</sup> Eden

By the Upper house of  
 Assembly Oct.<sup>r</sup> 26<sup>th</sup> 1770  
 Read & Assented to  
 Signed by Order  
 U. Scott Cl. Up. Ho.

the great seal in  
 wax appendant

N.<sup>o</sup> 14 An Act to repeal Part of an Act to encourage the destroying of  
 Wolves, Crows & Squirrels

[Part of an Act re-  
 pealed.] Be it Enacted by the right Honourable the Lord Proprietary by  
 and with the Advice and Consent of his Lordships Governor and the  
 Upper and Lower Houses of Assembly and the Authority of the  
 same that so much of an Act of Assembly made at a Session of  
 Assembly begun and held at the City of Annapolis the third Day of  
 October One thousand Seven hundred and twenty eight entituled An  
 Act to encourage the destroying of Wolves Crows and Squirrels as  
 relates to the killing of Crows and Squirrels in Queen Anns County  
 p. 67 be and is hereby repealed abrogated and made nul and Void from  
 and after the Tenth Day of December next

By the Lower House of  
 Assembly 25<sup>th</sup> Octo.<sup>r</sup> 1770  
 Read and Assented to  
 Signed by Order  
 Jn<sup>o</sup> Duckett Cl. Lo. Ho

On behalf of the right  
 Hon<sup>ble</sup> the Lord Pro-  
 prietary of this Province  
 I Will this be a Law  
 Rob.<sup>t</sup> Eden

By the Upper House of  
 Assembly October 26<sup>th</sup>  
 1770 Read & Assented to  
 Signed by Order  
 U Scott Cl. Up. Ho.

the great seal in  
 wax appendant

N.<sup>o</sup> 15 An Additional Supplementary Act to the Act entituled an Act for  
 erecting a new Parish in Kent County called Chester Parish and  
 for Building a Parish Church and Enlarging a Chapel of ease  
 within the said Parish

[Preamble.] Whereas the Rector Vestrymen and other Inhabitants of Chester  
 Parish in Kent County have set forth that the People of Chester  
 Town and other Parishioners and well disposed Persons having  
 made very Considerable Subscriptions to the amount of Six hundred  
 Pounds added to the small sum of Money that was first Raised by

Public Tax with an Intention to make an Addition to the House of Worship in Chester Town for a Chapel of Ease and therewith have erected a very Good and Commodious new Building for a Chapel instead thereof by which the Parish will be kept Clear of any Considerable Repairs for a Long time but upon making up the Accounts it is found there will still want about the sum of Four hundred & fifty Pounds Current money to compleatly finish the said Chapel and to inclose the same and also the Burying Ground belonging thereto in a decent manner and have prayed the same may be Assessed Levied and raised by equal Tax on the Inhabitants of the said Parish

Liber R. G.  
1770

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that it shall and may be Lawful for the Justices of Kent County Court to Assess and Levy on the Taxable inhabitants of the said Chester Parish the sum of One hundred and Eighty Pounds Current Money and five per Cent Commission for the sheriffs Collection and at the next November Court following the further sum of One hundred and Eighty Pounds Current Money and five Per Cent Commission as aforesaid to and for the use and Purpose aforesaid

[The Justices of Kent County to levy on the taxable Inhabitants of Chester Parish, £360 Current Money, by Two equal Assessments, &c.]

And be it further Enacted that the Sheriff of the County aforesaid for the time being shall and is hereby impowered and required to collect and Receive the said Assessments so as aforesaid made by the said Court in the same manner and in the same time as he collects other Public and Parish Dues and that he and his Sureties shall be Answerable for the same and he or his Executors or Administrators shall pay the said Sums so assessed and Levied to the Trustees appointed by Law to have the said Chapel Built or to their Order or Orders at any time after he has collected or by Law ought to have collected the same And the said Trustees are hereby Authorized and impowered to receive the sums of Money so as aforesaid to be raised and Collected by the Sheriff under the Assessments as aforesaid or his Executors or Administrators aforesaid or to draw Orders for the same and therewith Pay for Finishing & Compleating the said Chapel and to buy Materials and contract with proper Workmen to inclose the said Chapel and Burying Ground in a decent manner.

[To be collected by the Sheriff, as other Public and Parish Dues, and by him paid to Trustees, appointed by Law to have the Chapel built, or their Order, &c.]  
p. 66 [sic]

And Whereas it was by the Supplementary Act directed that the Proprietors of the Old Church should have as good and Commodious Pews or seats in the new Chapel as they had in the Old Church and that if there was not enough below for them and the Subscribers and Persons owning Lotts in the said Town and Dwelling therein that the Number should be made up out of the Gallery and then Balloted for. It is now thought Reasonable that the Proprietors of the old

[A former Act referred to.]

Liber R. G. Church should certainly have seats below and the Subscribers and  
1770 Contributors to the New should also have a Preference to those  
owning Lotts that would not contribute

[Proprietors and Contributors to have Pews below, in Preference to Owners, of Lotts, &c.] Be it therefore Enacted that the said Proprietors and Contributors shall have their Pews or Seats below in Preference to the owners of Lotts Dwellers in Town that would not contribute and such Owners of Lotts shall have seats in the Gallery if not enough for them below anything in the former Act to the contrary notwithstanding

[Proprietors of the old Church, who refuse to subscribe to the new Chapel.] And Whereas it was Supposed that all the Proprietors of the old Church would as their seats would be worth much more in the new Chapel [than] they were in the Old Church contributed by Subscription to the said Chapel and therefore ought not to pay for the bare erection of their new Pews and for which Reason no Provision was made that they should pay And it being represented that some of the said Proprietors refuse to Subscribe and contribute anything whilst others have Subscribed very Largely.

[Five Pounds or upwards, shall pay to the Trustees the Cost of erecting their Pews, or on Refusal the said Pews to be sold, &c.] Be it enacted that those Proprietors who have not subscribed Five Pounds or upwards to the said Chapel shall and are hereby Obligated to pay to the trustees the cost of erecting their new Pews before the said Pews shall be registered to them or any right therein Confirmed to them and if any refuse to pay as aforesaid within one Month after Notice it shall and may be Lawful for the said Trustees to sell the said Pew or Pews so as aforesaid refused to be paid for at Public sale retaining out of the Money arising therefrom the cost of erecting said Pew and Paying the Residue to such Proprietors

[Overplus Pews shall be sold to Freeholders of the Parish only.] p. 67 And Whereas it is Directed by the before recited Act that the Residue of the Pews or seats that shall be over supplying the Proprietors of the Old Church the Subscribers to the New and the Owners of Lotts Dwellers in the Town shall be sold at Public sale to the Freeholders of the said Parish only

Be it enacted that the said Pews shall be set up at Eight Pounds Current Money each

By the Lower House of  
Assembly 25.<sup>th</sup> Octo.<sup>r</sup>  
1770 Read and Assented  
to

Signed by Order  
Jn<sup>o</sup> Duckett Cl Lo. Ho.

On behalf of the right  
Honourable the Lord  
Proprietary of this Province I will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper house of  
Assembly Octo.<sup>r</sup> 26.<sup>th</sup>  
1770 Read and Assented  
to

Signed by Order  
U Scott Cl. Up. Ho.

the great Seal in  
wax appendant

N.<sup>o</sup> 16 An Act for the Building a Parish Church in Queen Ann Parish in Prince Georges County

[Preamble.] Whereas it has been requested to this General Assembly that the Parish Church in the Said Parish is so much decayed as makes it absolutely necessary that a new one should Be Built it is therefore thought fit by this General Assembly that it should be Enacted.



And Be it Enacted by the right Honourable the Lord Proprietary by and with the Advice and consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the Justices of the said County of Prince Georges shall and may and they are hereby required to Levy upon the Taxable Inhabitants of the said Parish by three Equal Assessments a Quantity not exceeding One hundred and fifty thousand Pounds of Tobacco together with the Sheriffs Salary of five Pounds of Tobacco per Centum for collecting the same by three equal Assessments that is to say one third part thereof at their next November Court one third part thereof at their November Court which shall be in the Year of our Lord One thousand Seven hundred and Seventy one and the remaining One third part thereof at their November Court which shall be in the year of our Lord One thousand Seven hundred & Seventy two which said Quantity of One hundred and fifty thousand Pounds of Tobacco shall and may be collected by the Sheriff of the said County together with his Commission as aforesaid and shall by the said Sheriff be accounted for and paid to the Vestry and Church Wardens of the said Parish or the Major Part of them for the time being who are hereby Authorized and required to apply the same towards Building Finishing and Compleating the said Church in the Parish aforesaid in or near the place where the Old Church now stands—

Liber R. G.  
1770  
[The Justices of Prince George's County to levy, on the taxable Inhabitants of Queen Anne Parish, a Quantity of Tobacco, not exceeding 150,000 lb. by Three equal Assessments,]

[to be paid by the Sheriff to the Vestry and Churchwardens;]

Provided always and be it Enacted that it shall and may be Lawful for the Several and respective Inhabitants of the said Parish to pay and Discharge the said Quantity of Tobacco as aforesaid to be Assessed and Levied in money in the same manner and at the same rate that they are now enabled to pay and discharge the Public and County Levy

[but may be discharged by the Inhabitants in Money.]

By the Lower house of Assembly October 29.<sup>th</sup> 1770 Read and Assented to

Signed by Order  
J<sup>no</sup> Duckett Cl. Lo. Ho.

On behalf of the right Honourable the Lord Proprietary of this Province I will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of Assembly Oct.<sup>r</sup> 29.<sup>th</sup> 1770 Read and Assented to

Signed by Order  
U Scott Cl. Up ho

p. 68

the great seal in  
wax appendant

N.<sup>o</sup> 17 An Act to remedy a defect in the Acknowledgment of a Conveyance from Josiah Conant to William Thornton—

Whereas it appears to this General Assembly upon an Examination into the truth of the Several facts set forth in the Petition of Colonel Abraham Barnes of Saint Marys County that on or about the Tenth Day of January in the Year of our Lord One thousand six hundred and forty two a certain Thomas Weston had granted unto him two Parcels of Lands situate Lying and being on the east Side of Saint George's Creek in Saint Marys County the one containing twelve hundred Acres more or less the other fifty Acres more

[A Private Act.]

Liber R. G. or less now known and distinguished by the name of the Manor of  
 1770 Westbury that the said two Parcells of Land by several Mean Conveyances became the right and Estate of a certain Josiah Conant late of Mansfield in the County of Windham in the Colony of Connecticut in New England deceased that the said Josiah Conant did by Deed bearing Dates on or about the ninth Day of November Seventeen hundred and forty five and acknowledged in Boston the Eleventh Day of November Seventeen hundred and forty five for the Consideration of two thousand nine hundred and fifty Pounds Boston Money Convey the same Lands unto a certain William Thornton late of Ann Arundel County Deceased and his heirs that the said William on or about the fifth Day of September Seventeen hundred and forty seven by Deed Properly executed acknowledged and Recorded for the Consideration of ffour hundred and twenty eight Pounds Eleven Shillings and six pence Sterling conveyed the same Lands to the said Abraham Barnes the Petitioner and his heirs That the said Abraham Barnes the Petitioner for about twenty years past hath been and now is in the Actual and Sole Possession of the said Lands under and by virtue of the Conveyance aforesaid from the said William Thornton

And whereas it hath been represented to this General Assembly that the aforesaid Deed from Josiah Conant to William Thornton was not Acknowledged agreeable to the Act of Assembly of this Province in such case made and Provided and that the said Abraham Barnes is apprehensive that his title to the said Lands is therefore  
 p. 69 defective by reason whereof it is prayed that an Act may Pass to remedy such defect in the said Conveyance

Be it therefore Enacted by the right Honourable the Lord Proprietary by and with the Advice and consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the said herein recited Deed of Conveyance from the said Josiah Conant to the said William Thornton and his heirs shall from henceforth and to all intents and Purposes be deemed and taken to be Effectual and Sufficient in the Law to convey the estate and interest of the said Josiah Conant of in and to the said Manor of Westbury and Lands therein mentioned any defect or defects whatsoever which may be in taking the Acknowledgment according to the Directions of an Act of Assembly of this Province or any other matter or thing therein contained to the contrary in anywise Notwithstanding

By the Lower House of  
 Assembly 30.<sup>th</sup> October  
 1770 Read & Assented to  
 Signed by Order  
 Jn<sup>o</sup> Duckett Cl Lo Ho

On behalf of the right  
 Honourable the Lord  
 Proprietary of this Province I will this be a Law  
 Rob.<sup>t</sup> Eden

By the Upper House of  
 Assembly Oct.<sup>r</sup> 30.<sup>th</sup> 1770  
 Read & Assented to  
 Signed by Order  
 U Scott Cl. Up. Ho.

the great seal in  
 wax appendant

N.<sup>o</sup> 18 An Act to devide Saint Johns Parish in Baltimore County

Liber R. G.  
1770  
[Preamble.]

Whereas the Rector Vestrymen and Church Wardens and many other Inhabitants of Saint Johns Parish in Baltimore County have by Petition represented to this General Assembly that the Commissioners heretofore appointed by an Act of Assembly for Building a Chapel of Ease in the Fork of Gunpowder in the said Parish have Erected and Built a Large Brick Chapel Sixty feet in Length and thirty feet in Breadth with an Addition of Forty feet in Length and thirty feet in Breadth in the most convenient Place of the said Fork of Gunpowder River and that the said Parish is very extensive and contains upwards of Two thousand nine hundred Taxables and therefore Prayed a Division of the said Parish after the Death or Removal of the Present Incumbent and that the aforesaid Chapel of Ease may be deemed the Parish Church of the Parish so to be taken off and devided from Saint Johns Parish aforesaid

Be it enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that after the Death or Removal of the Present Incumbent of the said Parish of Saint Johns in Baltimore County all that part of the said Parish of Saint Johns that is contained within the Bounds hereinafter mentioned and exprest That is to say That Bush River Upper hundred, Mine Run Hundred, North Hundred, and all that part of Middle River Upper Hundred lying and being to the North of the Road leading from the Main Road from York to Baltimore Town where it Crosses the South Branch of Gunpowder Falls at the Plantation of Walter Dulany Esquire towards the Plantation of John Wilmott and all that part of Gunpowder upper Hundred to the north of the said Main Road leading from the south Branch aforesaid to M<sup>r</sup> Roger Boyce's where it intersects the Mine Run hundred shall be taken from Saint Johns Parish aforesaid erected into a new Parish by the name of Saint James Parish and shall from and after the Death or Removal of the said Incumbent be deemed reputed and Adjudged and taken for Saint James Parish and not as part or parcel of Saint Johns Parish aforesaid and that the lines and boundaries as aforesaid shall always be deemed taken and reputed to be the undoubted Bounds and Lines to divide the Parish aforesaid and that the Inhabitants of the Parish of Saint James's aforesaid after the Death or Removal of the said Incumbent shall have and enjoy all such Benefits Privileges Powers and Authorities in every respect that the Inhabitants of any other Parish within this Province now have or hereafter may have or enjoy as Parishioners

[After the Death or Removal of the present Incumbent, such Part as is herein expressed, shall be taken from St. John's Parish, and erected into a new Parish, by the Name of St. James's Parish.]  
p. 70

And be it Enacted by the Authority aforesaid that the Freeholders of the said new erected parish shall after the Death or Removal of the Present Incumbent have full and ample Power to meet at the

[The Freeholders of the said new erected Parish, after such Death or Removal, are empowered to elect

Liber R. G. 1770 Parish Church on the Easter Monday next after such Death or  
Vestrymen and Church Removal and then & there to elect and Make Choice of Six Vestry-  
wardens, who shall men and two Church Wardens to serve as a Vestry of the said Parish  
have the for the ensuing Year and the same afterwards to alter and Renew at  
same Pow- such times and in such manner as the Laws of this Province do direct  
ers, &c. as for other Parishes and that the said Vestrymen and Church Wardens  
Vestrymen shall be Vested with the same Powers Privileges and Authorities as  
and Church- Vestrymen and Church Wardens of other Parishes within this Prov-  
wardens of ince are Vested with and shall be liable and Subject to the same  
other Par- Penalties and forfeitures and in such manner as the Laws of this  
ishes, &c.] Province have Provided in Like cases

[The Chapel And be it further Enacted by the Authority of the same that the  
of Ease to be said Chapel of Ease after the Death or Removal of the Present In-  
the Parish cumbent shall be Deemed taken and reputed the Parish Church of  
Church of the said New Erected Parish of Saint James's  
St. James's.]

By the Lower House of  
Assembly 30<sup>th</sup> Octo: 1770  
Read and Assented to  
Signed by Order  
Jn<sup>o</sup> Duckett Cl Lo Ho.

On behalf of the right  
Honourable the Lord  
Proprietary of this Pro-  
vince I will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Octo.<sup>r</sup> 30.<sup>th</sup>  
1770 Read & Assented to  
Signed by Order  
U Scott Cl. Up. Ho.

the great seal in  
wax appendant

N.<sup>o</sup> 19 An Act to invest Isaac Perkins with an Exclusive Privilege and  
D. 71 Benefit of making and Selling a Machine for Threshing of Wheat  
on a Model by him invented .

[A Private Whereas Isaac Perkins of Kent County by his humble Petition  
Act.] to this General Assembly has set forth that he had for some time  
past been engaged in constructing a Machine for the more Speedily  
and Effectual Threshing and Cleaning of wheat by which with the  
Help of one Man and a Boy and Horse would Thresh and Clean  
out at Least the Quantity of Forty Bushels of Wheat in one Day  
and thereby prayed that an Exclusive Privilege and Benefit of mak-  
ing a Machine or Permitting the same to be made should be secured  
to him and whereas upon viewing the Model of the said Machine  
it is thought that a Machine constructed thereon would answer the  
Purpose mentioned in the said Petition and be of great Utility to  
this Province and it appearing Reasonable to this General Assembly  
that the said Isaac Perkins should Reap for a Stated time some  
Advantage from his said Invention

Be it therefore Enacted by the right Honourable the Lord Pro-  
prietary by and with the Advice and consent of his Lordships Gov-  
ernor and the Upper and Lower Houses of Assembly and the  
Authority of the same that the sole and exclusive Right Privilege  
and Benefit of making Vending and Selling within this Province  
Threshing Machines Similar to the Model exhibited by the said



Isaac Perkins to the View of this Assembly or constructed on the General Principles thereof shall be and is hereby Vested in the said Isaac Perkins his Executors Administrators & Assigns for and during the Space of Ten Years from the end of this Session of Assembly

Liber R. G.  
1770

And be it further Enacted that if any Person shall at any time during the said Term of Ten Years as aforesaid make construct Vend or Sell within this Province any such Machine for Threshing of Wheat without a License in writing first had and Obtained from the said Isaac Perkins his Executors Administrators or Assigns for that purpose or shall Purchase or use any such Machine as aforesaid within the time aforesaid made by any Person other than the said Isaac Perkins his Executors Administrators or Assigns or some person Licensed by him or them for that purpose every person so making constructing Vending or Selling Purchasing or using such Machine shall forfeit and pay to the said Isaac Perkins his Executors Administrators or Assigns the sum of Fifty Shillings Current Money to be recovered by Warrant before one Justice of the peace with costs of suit

Provided that the said Isaac Perkins his Executors Administrators or Assigns shall not recover or receive more than one Penalty for the making constructing Vending or Selling Purchasing or using anyone Machine

By the Lower House of  
Assembly October 30.<sup>th</sup>  
1770 Read & Assented to  
Signed by Order  
Jn<sup>o</sup> Duckett Cl. Lo. Ho

On behalf of the Right  
Honourable the Lord  
Proprietary of this Province I will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Oct.<sup>r</sup> 30.<sup>th</sup> 1770  
Read & Assented to  
Signed by Order  
U Scott Cl. Up. Ho.

the great seal in  
wax appendant

N.<sup>o</sup> 20 An Act for the Relief of Thomas Weems

p. 72

Whereas Thomas Weems of Ann Arundel County by his humble Petition to this General Assembly hath set forth that he is Indebted in very Considerable Sums of Money much more than he is able to pay that he is now in the Custody of the Sheriff of Ann Arundel County and can never hope to pay his Debts or procure a Maintenance without Obtaining his Liberty and prayed this General Assembly to pass a Bill for his Relief that on delivering up all his Estate to his Creditors his person may be free from any arrest for any Debts now due which this General Assembly hath been pleased to grant

[Preamble.]

Be it therefore Enacted by the right Honourable the Lord Proprietary by and with the Advice and consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that in case the said Thomas Weems shall

[Thomas Weems to deliver up and surrender, on Oath, before

Liber R. G.  
1770

Two Justices  
of the Peace,  
all his real  
and personal  
Estate, to the  
Sheriff of  
Anne-  
Arundel  
County.]

deliver up and Surrender or cause to be delivered up and Surrendered to the Sheriff of Ann Arundel County aforesaid in the Presence of two Justices of the Peace of the County aforesaid whom the said Sheriff is hereby required to summon at the request of the said Thomas Weems at some Convenient time after the end of this Session of Assembly all his real and Personal Estate either in Possession, Reconversion, Remainder or in Trust or in or unto which he hath any Claim or interest whatsoever and likewise convey assign transfer and make over unto the said Sheriff for the use of his Creditors all such his Estate interest or claim as aforesaid after such manner as by the said Sheriff and by the Major part of his Creditors or such of them as shall think fit to direct therein or their Council Learned in the Law shall Reasonably devise or require at the cost and Charge of the persons who shall Claim Benefit thereof so that the said Thomas Weems be not burthened with any Warrantee thereby other than against himself or those claiming by from or under him and that the said Thomas Weems at the time of such his Surrender and Transferring his Estate as aforesaid shall take the following

[The Oath.]

Oath before the said Two Justices viz—"I Thomas Weems do solemnly swear that the Goods Debts and Effects which I have Delivered Assigned and made over to the Sheriff of Ann Arundel County in Trust for the use of my Creditors is the Whole Estate both Real and Personal of my own in Possession that I have any Title to in the World and that I have not any estate Goods or Effects of any kind whatsoever left either in Possession Reversion or Remainder (the Necessary Apparel of myself Excepted) and that I have not directly or indirectly sold Leased or otherwise conveyed disposed of or intrusted all or any part of my Estate thereby to defraud my Creditors or to secure the same to receive or expect any Profit or Advantage thereof so help me God" It shall and may be Lawful for the Sheriff of the County aforesaid to discharge the said Thomas Weems and Suffer him to go at Large

p. 73

[To be discharged, if arrested or imprisoned, on any Process, &c. for any Debt contracted before the End of this Session, on Motion, &c.]

And be it further Enacted that if the said Thomas Weems shall be arrested or imprisoned or any Process sued out on any Judgments or Decree obtained against him for any Debt Damages or Costs contracted owing or growing due before the end of this Session of Assembly the Court out of which such Process issued shall and may discharge the said Thomas Weems on Motion And if the said Thomas Weems shall be arrested or imprisoned on any process for the Recovery of any Debt Damages or costs contracted or growing due before the end of this Session of Assembly the Court or Justice before whom such Process shall be returned shall and may discharge the said Thomas Weems out of Custody on his Common appearance being entered without any Special Bail Provided that the discharge of the said Thomas Weems shall not acquit any other person from such Debt Damages or cost or any part thereof but that

[but shall not acquit any other Person from such Debt, &c.]

all such persons shall be answerable for the same in such manner as they were before the Passing this Act

Liber R. G.  
1770

Provided always and be it Enacted that notwithstanding the discharge of the said Thomas Weems all and every debt or debts due and owing from him and all and every Judgment had or decree Obtained against him shall stand and be good and effectual in Law to all intents and purposes against the Lands Tenements and Hereditaments Goods and Chattels of him the said Thomas Weems and which he or any other Person in trust for the use of him the said Thomas Weems had at the time of the discharge of the said Thomas Weems or which he at any time hereafter shall or may be any ways seized or Possessed of or interested in to his own use or in his own proper Right either in Law or equity (except the Wearing apparel of him not exceeding the sum of Ten Pounds Current Money) and it shall and may be Lawful for any of his Creditors their Executors Administrators or Assigns to take out new Execution or Executions without any Scire facias Previous thereto against the Lands Tenements or other Hereditaments Goods and Chattels of the said Thomas Weems (except as before excepted) for the Satisfaction of his her or their Debts in such sort manner and Form as he she or they might have done if the said Thomas Weems had not been taken in Execution or discharged by virtue of this Act

[Proviso.]

And be it further Enacted by the Authority aforesaid that if any Action of Escape be brought against the said Sheriff or any suit or Action against any Justice or Justices for their Performing their Duty in pursuance of this Act he or they may Plead the General issue and give this Act and the Special matter in Evidence and if the Plaintiff be nonsuit or discontinue his Action or Verdict pass against such Plaintiff or Judgment upon Demurer the Defendant shall have and Recover Double Costs Provided also that nothing in this Act shall extend or be construed to extend or bar any Creditor or Creditors of the Before mentioned Thomas Weems from having and maintaining any Action of Escape against any Sheriff who hath Permitted any Escape before the making this Act

[Actions of  
Escape  
brought  
against the  
Sheriff or  
Justices,  
may plead  
the general  
Issue, &c.]

Provided Nevertheless that in case the said Thomas Weems shall at any time after making such Oath as aforesaid be convict of Wilful and corrupt Purjury thereupon or of a Wilful Breach or non compliance with the Tenor of such Oath as aforesaid that then the said Thomas Weems shall upon such Conviction as aforesaid be wholly deprived of any benefit intended to him by this Act and shall from thenceforth be liable to be prosecuted for any Debt or Demands whatsoever in the same manner as if this Act had never been made anything to the Contrary Notwithstanding

[Proviso as  
to any  
former  
Escape, and  
also in case  
of Perjury.]

p. 74

Provided also that the sheriff of the County aforesaid shall be first paid and satisfied for his imprisonment fees before any Creditor

[The Sheriff  
to be first  
paid.]

Liber R. G. or Creditors shall have or receive any share or part of the Estate  
1770 of the said Thomas Weems or of the Produce thereof

[Notice of  
the Sale of  
his Estate  
to be given.]

And be it further Enacted that after Public Notice given by Ad-  
vertisements set up at the Court House Door of the County thirty  
Days at the least of the sale of any of the said Thomas Weems his  
Lands and five Days at the least of the sale of any of the said Thomas  
Weems his other Estate the said Sheriff to whom any of the said  
Estate Real or Personal shall be Surrendered and Delivered up in  
Pursuance of this Act shall set up and Expose such Estate to sale  
by Way of Public Vendue in the presence of one Justice of the  
peace and the Produce arising by such sale Shall be by the said  
Sheriff in manner following paid and Satisfied that is to say after  
Satisfaction of the aforesaid imprisonment fees that the Estate and  
interest of the aforesaid Thomas Weems upon which his Judgment  
Creditors or any claiming or that shall claim under them by Assign-  
ment or otherwise have or shall have any Lien or the Produce  
thereof shall be in the first place after Satisfaction of the Sheriff as  
aforesaid Applied to the discharge of the said Creditors according  
to the Order and Priority of their Judgments & the Lien arising  
therefrom and that the Residue of the Estate and interest of the  
said Thomas Weems or the Produce thereof shall be distributed  
among all his Creditors that shall apply therefor within thirty Days  
after the aforesaid Sale in Equal Portion to their Demands

[The Pro-  
duce, how to  
be dis-  
tributed.]

[Accounts,  
&c. to be  
assigned to  
the Sheriff.]

And be it further enacted that all the Accounts Bonds Notes and  
other Demands which the said Thomas Weems hath against any  
person or persons whatsoever shall be by the said Thomas Weems  
assigned to the Sheriff of the County aforesaid at the time of his  
discharge and that the said Sheriff shall and May maintain an Action  
or Actions on such demand as Assignee of the said Thomas Weems  
in his own name

[Proviso.]

Provided always that such Creditor or Creditors require and  
Demand the said Sheriff to sue and give to the said Sheriff a Bond to  
indemnify him against any Charge that may accrue to him by  
means of any such suit and in case of Recovery that then the Sheriff  
of the County aforesaid make Distribution of what shall be Re-  
covered to the Person or Persons giving him such security as  
aforesaid

p. 75 By the Lower House of  
Assembly 2<sup>nd</sup> November  
1770 Read & Assented to  
Signed by Order  
Jn<sup>o</sup> Duckett Cl Lo Ho

On behalf of the right  
Honourable the Lord  
Proprietary of this Pro-  
vince I will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Nov.<sup>r</sup> 2<sup>d</sup> 1770  
Read & Assented to  
Signed by Order  
U Scott Cl. Up. Ho.

the great seal in  
wax appendant



N.<sup>o</sup> 21 An Act directing the sale of part of the Lands of Henry Baker late of Cecil County deceased for the Payment of the Debts of the said Henry Baker— Liber R. G.  
1770

Whereas it appears to this General Assembly upon an Examination into the facts set forth in the Petition of Francis Baker Administrator with the Will annexed of the said Henry Baker that the said Henry Baker died indebted unto sundry Persons in divers Large Sums of Money and that the Personal Estate of the said Henry Baker was by no means sufficient to discharge the said Debts That the said Henry Baker on or about the fourth Day of June Anno Domini One thousand Seven hundred and Sixty eight made and Executed his Last will and Testament in Writing and after Disposing thereby of a Considerable part of his Real and part of his personal Estate devised as follows. "All the Residue of my Estate Real and Personal after my Just Debts and Legacies be paid is to be Equally Divided between my Grandson Samuel Baker and my sons Jeremiah and Henry to them and their Heirs Assigns forever" and also constituted and appointed Jeremiah Baker his Son Sole Executor thereof and Shortly afterwards died That the said Jeremiah Renounced the Execution of the said Will and that Letters of Administration with the Testament aforesaid annexed were granted unto the said Francis Baker and that the said Francis Baker after Letters of Administration granted unto him Appraised the Personal Estate of the said Henry and Returned an Inventory thereof with a List of the Sperate and Desperate Debts into the Prerogative Office of this Province And that the Inventory amounted to the sum of Seven hundred and Seven Pounds four Shillings and seven Pence Currency the Sperate Debts to the sum of One hundred and Ninety nine pounds four Shillings and eight pence three farthings Currency And that the Desperate Debts amounted to the sum of Two Thousand Eight hundred and fifteen Pounds six Shillings and one Penny Currency and that the said Francis hath been allowed for disbursements the sum of Six hundred and ninety two pounds seventeen Shillings and seven Pence Current Money [A Private Act.]

And Whereas the said Petitioner hath by his said Petition prayed that an Act may pass to empower him to sell and dispose of the Lands before mentioned in Order to discharge the Debts Due to the Several Creditors of the said Henry the Testator

Be it therefore Enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the said Francis Baker shall be and is by virtue of this Act empowered to set up and expose to sale by way of Public Vendue to the Highest Bidder the Lands before mentioned two Months Notice of the time and Place of such Sale and Vendue p. 76

Liber R. G. being first given in the Maryland Gazette and after such sale as afore-  
 1770 said to convey by way of Bargain and sale or by any other Conveyance to any person or persons who shall bid and give the highest price therefor as freely and Effectually to all intents and purposes as if the said Francis Baker was himself in his own right seized of & in the like estate in the Lands aforesaid respectively as the said Henry Baker was Seized of at the time of his Death and the Money arising by such sale or sales after Deducting the reasonable Expence thereof and of this Act to apply and dispose of in the Payment and satisfaction of the said Henry Bakers Debts if the same shall be sufficient fully to satisfy and pay all the Just Debts of the said Henry Baker and if the same shall not be Sufficient to pay and satisfy all the just Debts of the said Henry Baker then after Payment of all Debts of Superior Degree the residue shall be after deducting the same Commission to the said Francis Baker as by Law is allowed to Executors and Administrators divided amongst the simple contract Creditors of the said Henry Baker rateable and in Proportion to the sums of their Debts And to the end that the sale or sales of the said Lands shall be fairly made and the money arising therefrom duly applied.

Be it further Enacted that the said Francis Baker shall before Such Sale or Sales give Bond with Sufficient Sureties to the Deputy Commissary of Cecil County for the time being in the same manner and form as is usual in case of intestates Estates (which said Bond shall be by him transmitted to the Commissary General) with Condition to the same that the said Francis Baker shall and will in all things fulfil and Perform the Directions of this Act with respect to the sale or Sales aforesaid and the Application of the Money arising by such sale and sales and shall and will within six Months from Such Sale or Sales pass & Settle an Account thereof with the Deputy Commissary of Cecil County aforesaid for the time being to be by him transmitted as aforesaid to the Commissary General as aforesaid

Provided always that no sale or sales of the said Lands or any part thereof shall be had or made in Pursuance of this Act until the said Francis Baker shall have passed an Account with the Deputy Commissary of Cecil County aforesaid for the time being upon the Personal Estate of the said Henry the Testator whereby it may  
 p. 77 fully appear what the true and full Account of the said Personal Estate really is And thereby be Clearly known whom of the Creditors of the said Henry Baker remain unpaid or Cannot be paid by an Application of the said Personal Estate in due and Legal Course of Administration

And Provided also that this Act shall not extend to empower the said Francis Baker to Burthen or Charge the Orphan or Orphans of the said Henry Baker or any person or persons claiming by from or

under him them or any of them with any other Warranty than against the said Henry Baker and his heirs or Assigns

Liber R. G.  
1770

By the Lower House of  
Assembly Nov.<sup>r</sup> 2.<sup>nd</sup> 1770  
Read & Assented to  
Signed by Order  
Jn<sup>o</sup> Duckett Cl. Lo. Ho.

On behalf of the right  
Honourable the Lord  
Proprietary of this Prov-  
ince I will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Nov.<sup>r</sup> 2.<sup>d</sup> 1770  
Read and Assented to  
Signed by Order  
U Scott Cl. Up. Ho.

the great seal in  
wax appendant

N.<sup>o</sup> 22 An Act for the Relief of Nehemiah Tilghman and Solomon Town-  
send and to confirm the Contract made between the said Nehemiah  
Tilghman and a certain Major Townsend—

Whereas it appears to this General Assembly upon an Examination into the truth of the Several Facts set forth in the Petition of Nehemiah Tilghman and Solomon Townsend That a certain Major Townsend late of Worcester County Deceased did on the third Day of November Seventeen hundred and Sixty Six Contract with a certain Stephen Revell for the Sale of a certain tract or parcel of Land containing two hundred and three Acres part of a tract of Land called Majors Security including the Dwelling Plantation of the said Major Townsend for which the said Stephen Revell was to pay the said Major Townsend the sum of two hundred and three Pounds in Dollars at Seven Shillings and six pence each that in Consequence of the said contract and Purchase the said Major Townsend and Stephen Revell executed Obligations to each other for their respective performance thereof and that soon after the Execution of the aforesaid Obligations the aforesaid Major Townsend Dyed intestate Leaving Issue one only son Named James Townsend his heir at Law then and Still an infant and also largely Indebted to Sundry Persons much more than his Personal Estate was Sufficient to discharge and that after his Death Solomon Townsend one of the Petitioners took Administration on the Estate of the said Major Townsend as also was appointed Guardian unto the aforesaid James Townsend the son and heir at Law of the said Major Townsend that since the Death of the said Major Townsend the aforesaid Stephen Revell for a Valuable Consideration did sell and dispose of his right and Title of the aforesaid Lands unto Nehemiah Tilghman the other Petitioner and the Lands aforesaid not being Conveyed by the said Major Townsend in his Life time to the said Stephen Revell agreeable to the Contract therein Specified the said Stephen Revell did Assign all his right and title of and in the Lands aforesaid as also the Bonds for the Conveying thereof unto the said Nehemiah Tilghman your Petitioner and that the said Stephen Revell in Consequence of the contract aforesaid paid unto the said Major Townsend the sum of three pounds in part of the

[A Private  
Act.]

p. 78

Liber R. G. Consideration aforesaid and that the Petitioner Nehemiah Tilghman is willing and desirous to pay and discharge the Remainder unto the said Solomon Townsend Administrator of Major Townsend and that the same may go in a Course of Administration to discharge such debts as Still remain unpaid and due from the intestate and the Remainder to be secured to the aforesaid James Townsend an infant and Heir at Law to the aforesaid Major Townsend on Condition that the said Nehemiah Tilghman can be secured in the Title of the Lands aforesaid agreeable to the Original Contract between the said Major Townsend and the aforesaid Stephen Revell which cannot be effected the heir at Law of the said Major being an Infant without the Aid of the Legislative Authority wherefore they humbly pray that an Act may pass for that purpose

1770

Be it therefore Enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the said Solomon Townsend be and is hereby Entitled and impowered and directed to convey unto the said Nehemiah Tilghman and his heirs in fee the aforesaid part of a tract of Land called Majors Security Containing Two hundred and three Acres and including the late Dwelling Plantation of the aforesaid Major Townsend upon payment of the said Sum of Two hundred Pounds in Dollars at Seven Shillings and six pence Each by the said Nehemiah Tilghman to him the said Solomon Townsend and the said Solomon Townsend shall apply the same Money to pay such Debts of the said Major Townsend as remain unpaid in a Course of Administration and all the Residue or Remainder of the said sum of Money shall pay to the said James Townsend his Executors Administrators or Assigns or to his Guardian Lawfully Authorized to receive the same saving to the Heir of the said Major Townsend a Liberty of Showing Cause if any he hath or can Shew to the Chancellor of this Province for the being at any time within Six Months after he shall arrive at the age of twenty one Years why the said Contract and Obligation by the aforesaid Major Townsend entered into with the said Stephen Revell ought not to have been Specifically Performed and upon such cause Shewn to the Satisfaction of the said Chancellor that then this Act be Void any Clause matter or thing herein to the Contrary in any wise notwithstanding

p. 79 By the Lower House of  
Assembly 2<sup>nd</sup> Nov.<sup>r</sup> 1770  
Read & Assented to  
Signed by Order  
Jn<sup>o</sup> Duckett Cl. Lo Ho

On behalf of the right  
Honourable the Lord  
Proprietary of this Prov-  
ince I will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly Nov.<sup>r</sup> 2<sup>d</sup> 1770  
Read and Assented to  
Signed by Order  
U Scott Cl Up. Ho.

the great seal in  
wax appendant



I do hereby Certify that Reverdy Ghiselin Clerk of the Provincial Court and Secretarys Office of the Province of Maryland this Day Personally appeared before me the Subscriber one of the Right Honourable the Lord Proprietary of the Province aforesaid his Counsel of State and made Oath on the Holy Evangels of Almighty God that he Carefully Examined all the Laws contained in this Book from folio 47 to folio 79 with the Original Acts that Passed the Great Seal

Liber R. G.  
1770

Sworn to this Eighth Day of April 1771

W<sup>m</sup> Hayward

The Seal of the Secretarys Office is hereto Affixed on behalf of Daniel Dulany Esquire Secretary of Maryland by

SEAL

R Ghiselin Clk Prov.<sup>1</sup> Court & Secy's Office



PROCEEDINGS AND ACTS  
OF THE  
GENERAL ASSEMBLY OF MARYLAND

*At a Session Held at Annapolis, November 5-21, 1770.  
Being the Fourth Session of the Assembly Elected in  
November-December, 1767*

FREDERICK CALVERT, LORD BALTIMORE  
*Lord Proprietary.*

ROBERT EDEN  
*Governor.*





# PROCEEDINGS

## OF THE

### UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis, on Monday the 5:<sup>th</sup> Day of November, in the Twentieth Year of his Lordships Dominion, Anno Domini 1770.

U. H. J.  
Liber No. 36  
1770  
Nov. 5  
p. 484

Were Present

His Excellency Robert Eden Esq:<sup>r</sup> Governor.

The honble {	Benedict Calvert Esq: <sup>r</sup>	Walter Dulany Esq: <sup>r</sup>
	Daniel Dulany Esq: <sup>r</sup>	John Beale Bordley Esq: <sup>r</sup>
	John Ridout Esq: <sup>r</sup>	George Steuart Esq: <sup>r</sup>

Mess:<sup>rs</sup> William Paca and Smallwood, from the Lower House, acquaint his Excellency, that there are a sufficient number of Members met to make a House and wait his Excellencys Commands.

Benedict Calvert and Daniel Dulany Esq:<sup>rs</sup> are sent to acquaint the Lower House, that his Excellency requires their Attendance in the Upper House immediately.

The Lower House attend, and his Excellency was pleased to request of both Houses of Assembly to proceed to complete the Business recommended to them at the Opening of the last Session.

Mess:<sup>rs</sup> Chase and William Paca bring up a Bill entitled. "An Act for the Adjournment and Continuance of Baltimore County Court."

Read the first and second time in the Lower House, and will pass—which was Read the first and second time, by an especial order, in this House and will pass—so Endorsed and Sent by Daniel Dulany Esquire.

Mess:<sup>rs</sup> Johnson and J Hall bring up the Engrossed Bill, entitled; "An Act for the Adjournment and Continuance of Baltimore County Court"—Read and Assented to by the Lower House of Assembly—which was Read and Assented to by this House, and ordered to be so Subscribed, the Paper Bill so Endorsed and Sent to the Lower House by John Beale Bordley Esq:<sup>r</sup>

Benedict Calvert and Daniel Dulany Esq:<sup>rs</sup> are Sent to acquaint the Lower House, that his Excellency requires their Attendance in the Upper House immediately, to See the Bill passed both Houses this Session receive the Assent.

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The Lower House attend, and by their Speaker present to his Excellency the following Bill.

U. H. J. A Bill entitled An Act for the Adjournment and Continuance of  
 Liber No. 36 Baltimore County Court.  
 Nov. 5

Which his Excellency passed into a Law, in the usual Form, by Sealing it with the Right Honourable the Lord Proprietary his Great Seal at Arms, and Subscribing it. "On Behalf of the Right Honourable the Lord Proprietary of this Province I Will this be a Law."

Adjourned until to Morrow Morning 10 of the Clock.

Nov. 6

Tuesday Morning 6.<sup>th</sup> of November 1770.

The House met again according to Adjournment.

Present as Yesterday.

On Motion, leave is given to bring in a Bill Entitled, "An Act relating to Replevins"; which being brought in immediately, was Read the first and second time by an especial order in this House, and will pass—So Endorsed and Sent to the Lower House by John Beale Bordley Esquire—

Read and Referred to the Consideration of the Lower House of Assembly, The Petitions of the Rector and Vestrymen of Saint Peters Parish in Talbot County, of sundry Inhabitants of Saint Georges Parish in Baltimore County, and of Elizabeth Phillips a Languishing Prisoner in Prince Georges County Goal—These Petitions were severally Endorsed and Sent to the Lower House by John Ridout Esq.<sup>r</sup>

On Motion, Leave is given to bring in a Bill entitled "a Supplementary Act to the Act entitled An Act to prevent disabled and superannuated Slaves being Set free or the Manumission of Slaves, by any last Will or Testament" which being brought in immediately, was Read the first and second time, by an especial order, in this House, and will pass—So Endorsed and Sent to the Lower House by John B. Bordley Esq.<sup>r</sup>

Adjourned until three of the Clock in the Afternoon.

Eodem Die post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Read and referred to the Consideration of the Lower House of  
 p. 486 Assembly, the Petition of Mayberry Helmes Jun.<sup>r</sup> a Languishing Prisoner in Baltimore County Goal—so Endorsed & Sent by Benedict Calvert Esq.<sup>r</sup>

Mess.<sup>rs</sup> Ringgold and J Hall bring up a Bill entitled. "An Act for Amending the Staple of Tobacco, for preventing Frauds in his Majestys Customs, and for the Regulation of Officers Fees." Read

the first and second Time by an Especial Order in the Lower House and will pass, which was Read the first Time in this House and ordered to lie on the Table.

U. H. J.  
Liber No. 36  
Nov. 6

Adjourned until to Morrow Morning 10 of the Clock.

Wednesday Morning 7:<sup>th</sup> November 1770.

Nov. 7

The House met again according to Adjournment.

Present as Yesterday.

Read, and referred to the Consideration of the Lower House of Assembly, the Petitions of the Vestrymen and Church Wardens of Saint Lukes Parish in Queen Anns County, so Endorsed and Sent by John Ridout Esq.<sup>r</sup>

Mess:<sup>rs</sup> Baxter and Deye bring up a Bill entitled. "An Act for the Relief of certain Languishing Prisoners in the several Goals therein mentioned"—Read the first and second Time, by an especial Order in the Lower House and will pass—

Mess:<sup>rs</sup> W. Paca and Smallwood bring up a Bill Entitled "An Act to enable the Commissioners for Emitting Bills of Credit to pay to John Duckett, William Mills and John Peacock the Sums of Money therein mentioned: Read the first and second time, by an Especial Order, in the Lower House and will pass.

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Adjourned until to Morrow Morning 10 of the Clock.

Thursday Morning 8:<sup>th</sup> November 1770.

Nov. 8

The House met again according to Adjournment.

Present as Yesterday.

The following Message is Sent to the Lower House by Daniel Dulany Esq.

By the Upper House of Assembly 8:<sup>th</sup> November 1770. p. 487

Gentlemen

We have considered the Bill entitled. "An Act for Amending the Staple of Tobacco, for preventing Frauds in his Majestys Customs, and for the Regulation of Officers Fees," and think it very exceptionable in many Respects, but as the Tranquility and Welfare of the Province depend very much upon the Regulation of our Staple

U. H. J. of Tobacco, and the Fee of Officers we propose a Conference with  
 Liber No. 36 your House upon the Bill.  
 Nov. 8

Signed by Order U Scott Cl. Up. Ho.

Read, and referred to the Consideration of the Lower House of Assembly the Petition of Thomas Lightfoot, William Lightfoot, Abraham Mitchell Walter Franklin, and Samuel Franklin, so Endorsed & Sent by Jn.<sup>o</sup> Ridout Esq.

Mess.<sup>rs</sup> Worthington and Grahame from the Lower House bring up the following Message.

By the Lower House of Assembly 8:<sup>th</sup> November 1770.

May it please your Honours.

This House hath appointed M.<sup>r</sup> Worthington, M.<sup>r</sup> Ringgold, M.<sup>r</sup> Grahame, M.<sup>r</sup> Beall, M.<sup>r</sup> Dickinson and M.<sup>r</sup> Contee to join one or more Members of your House, as a Committee to inspect the Office and Proceedings of the Commissioners for Emitting Bills of Credit, established by Act of Assembly.

Signed by Order. John Duckett Cl. Lo. Ho.

Mess.<sup>rs</sup> Mackall and Ware bring up a Bill, entitled. "An Act to impose a further Duty on Negroes imported into this Province, and for the better Support of County Schools." Read the first and Second time, by an Especial Order, in the Lower House, and will pass—

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning and Will.<sup>m</sup> Hayward Esq.<sup>r</sup>

The following Message is Sent to the Lower House by W.<sup>m</sup> Hayward Esq.<sup>r</sup>

By the Upper House of Assembly 8.<sup>th</sup> Nov.<sup>r</sup> 1770.

Gentlemen.

This House hath appointed Benedict Calvert and Walter Dulany Esq.<sup>rs</sup> to join the Members of your House, named by you for the purpose in your Message of this Morning, by Mess.<sup>rs</sup> Worthington and Grahame.

Signed by Order. U Scott Cl. Up Ho

Adjourned until to Morrow Morning 10 of the Clock.



Present as Yesterday—

Mess.<sup>rs</sup> Smallwood and N. Thomas from the Lower House acquaint his Excellency, that their Speaker is so much indisposed that he is not able to attend—

U. H. J.  
Liber No. 36  
Nov. 9

Benedict Calvert Esq.<sup>r</sup> is Sent to the Lower House to acquaint them that his Excellency requires their Attendance in the Upper House immediately.

The Lower House attend, and his Excellency Desires them to return to their House and make Choice of a Speaker.

Mess.<sup>rs</sup> Griffith and W Paca from the Lower House acquaint his Excellency that their House hath made Choice of a Speaker.

John Ridout Esq.<sup>r</sup> is sent to the Lower House to acquaint them, that his Excellency require their Attendance to present their Speaker.

The Lower House Attend, and present Brice Thomas Beale Worthington Esq.<sup>r</sup> as their Speaker, with which Choice his Excellency Declares himself well pleased.

Mess.<sup>rs</sup> John Hall and Johnson from the Lower House bring up the following Message.

By the Lower House of Assembly 9:<sup>th</sup> November 1770.

May it please your Honours

We agree with you in Opinion that the Tranquility and Welfare of the Province depend very much upon a Regulation of our Staple of Tobacco, and the Fees of the Officers, under that Idea we with great Care revised our late Inspection Law; and were governed by Principles of Justice and Public Utility, But as your Honours think the Bill now before you on that subject very exceptionable, in many Respects, we request you to point out the Amendments you have to propose, that we may have them before us in one view, and then we shall with pleasure agree to a Conference if we judge it expedient.

Signed by Order. John Duckett Cl. Lo. Ho.

Mess.<sup>rs</sup> W. Paca and Johnson from the Lower House bring up a Bill entitled. "An Act to impower Edward Tilghman, Solomon Wright and others to Sell certain Lands Devised by Col.<sup>o</sup> Vincent Lowe, formerly of Talbot County, to be Sold for the purposes by the said Devise intended"—Read the first and second time by an Especial order in the Lower House & will pass—

p. 489

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Adjourned until to Morrow Morning 10 of the Clock.

U. H. J.  
Liber No. 36  
Nov. 10

Saturday Morning 10 of November 1770.

The House met again according to Adjournment.

Present as Yesterday.

Mess:<sup>rs</sup> John Paca and Deye from the Lower House bring up a Bill entitled, "An Act to divide Saint Georges Parish in Baltimore County" Read the first and second time in the Lower House and will pass.

Mess:<sup>rs</sup> Heugh and Wootton from the Lower House bring up a Bill, entitled. "An Act to Establish a Markett in Frederick Town in Frederick County, and for the Regulation of the said Markett"—Read the first and second time in the Lower House and will pass.

Mess:<sup>rs</sup> Holliday and Wright from the Lower House bring up a Bill, entitled. "A Supplementary Act to the Act entitled An Act to enable the Justices of Queen Anns County, for the time being, to Levy on the Taxable Inhabitants of Saint Lukes Parish, in the said County, a Quantity of Tobacco for Building of a Chapel, in the said Parish" Read the first and second time in the Lower House and will pass—

These three Bills were Read the first and Second time, by an especial Order, in this House, and will pass—so Endorsed and Sent to the Lower House by Daniel Dulany Esq.<sup>r</sup>

The following Message is Sent to the Lower House by John Ridout Esq:

By the Upper House of Assembly 10:<sup>th</sup> November 1770

Gentlemen.

In the last Session of Assembly We returned with a Negative and Message the Bill entitled. "An Act for Amending the Staple of Tobacco, for preventing Frauds in his Majestys Customs, and for the Regulation of Officers Fees." Our Message containing a general Proposition for Alterations we hoped might produce a Conference, and thereby facilitate an Agreement between the two Houses, for passing an Act of so great Utility to the Province—

We were then governed by Precedents, which appear on the Journals, particularly in the Year 1745, when an Act for the Limitation of Officers Fees which had taken Rise in the Lower House, was returned from this with a Negative and Message—Upon the Return of this Bill in the manner mentioned the Lower House proposed a Conference by Message, and a Bill in Consequence of it was framed

In the Year 1766 when the Journal of Accounts was returned to your House with a Negative; there was a Similar proceeding. But this Method having failed of the Effect we wished, and imagining it might be more agreeable to you that a Conference should be proposed by this House, we this Session retained your Bill, and on our part made the overture for a Conference according to the Course

pursued in 1747 when the first Inspection Act passed—By your Message of Yesterday we find that neither is this Method agreeable to you, but you desire us to point out Amendments, and that you will agree to a Conference thereon; if you think it expedient.

U. H. J.  
Liber No. 36  
Nov. 10

You must be sensible, that if [we] were to enter minutely into a Consideration of all the parts and Articles of the Bill, detail all our Exceptions, and apply distinctly our Observations in support of our Opinion, it would be a Work of great Length, take up much time, and be productive of a considerable Expence, and especially if this Proceeding should draw from you a Message of the same kind, and you at last not judge a Conference to be expedient, Wherefore we make the following general Propositions.

That the Regulation of the Fees of Officers, and Lawyers, and the Provisions Dependant thereon be the same as in the last Inspection Act, the Mode of Recovering Penalties be the same, that there be no new Allowance on Tobacco Payments, or that the Clause in which it is comprized may be explained so clearly as to extend only to cropped Tobacco—

That all persons, whether they shall make Tobacco or not, may elect to pay all Fees in Tobacco or Money in the manner provided by the Bill That the poll Tax may be paid in the same manner, with this difference only, that in Case of a Payment in Money the [clergy may] receive on thirty two instead of thirty Per Pole, that the Inspection may be Closed at the time Directed by the late Regulation

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Should you think the Income from the Fees of the Secretary, Commissary General, and Judges of the Land Office will be too great on this Plan, we Propose if you think Proper, that there may be annual Stated Income paid to these Officers respectively of £600 Sterling, in Lieu of all other Fees Perquisites and Emoluments, and that these may be accounted for and applied to the Public Use, as the General Assembly shall Direct.

Lastly, that the Fees and Proportion of the Poll Tax which become due during the Existence of the late Regulation, and remain unsatisfied may be accordingly paid.

Signed by Order—U Scott. Cl. Up. Ho

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning, and William Fitzhugh Esq.

Read the first and second time, by an Especial Order, in this House a Bill entitled. "An Act for the Relief of certain Prisoners in the several Jails therein mentioned" and will pass with the following Amendments At the end of the last page add the following

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Nov. 10

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Clause Viz.<sup>t</sup> "And be it further enacted by the Authority aforesaid, That if any of the persons, intended to be relieved by this Act, are and shall be of Sufficient Ability of Body to Labour, such Person or Persons, not having a Wife or Family shall be and are hereby obliged to Serve for a Time, not exceeding five years to any person or Persons who are or shall be inclined to purchase the Time of Servitude of such Debtor or Debtors, and that the respective Sheriffs, in whose Custody the aforesaid Debtors, or any of them are, be and are hereby Authorised and obliged to Summon two Justices of the peace in the respective Counties, at the request of the said Prisoners, as soon as conveniently may be after the End of this Session of Assembly, and after giving five Days Notice, at the Court Houses of the Respective Counties, of the intended Sale of such Debtor or Debtors, expose to Sale in the presence of the said Justices, such Debtor or Debtors, and the time of his or their Servitude to the highest Bidder, and the Money arising from such Sale shall be as Effects of such Debtor or Debtors, in the hands of the respective Sheriffs, subject as aforesaid to a Distribution in Manner aforesaid; and the Sale and Service of such Debtor or Debtors, as aforesaid, is hereby directed to be taken as full and sufficient Acquittal, and Discharge, against all Debts due from such Debtor or Debtors before such Sale; Provided, that in Case it shall appear to the satisfaction of the said Justices, that any of the said Debtors have offered since their Confinement to make satisfaction to their Creditors by Servitude, and that their Creditors have refused to accept the same, that the Time, such Debtors have been Confined in Prison, shall be taken as part of the aforesaid five Years, and that they shall be obliged to serve only for such time as will complete five Years from the Day of such offer of Servitude, and that in case any such Single persons as aforesaid have been confined in Prison for five years, or any longer time, that the said persons so confined shall be discharged, upon the same Terms, and in the same manner, that persons having Families are by this Act directed to be discharged." So Endorsed and Sent to the Lower House by Walter Dulany Esquire—

Read the first and second time by an especial Order, in this House, a Bill entitled "An Act to enable the Commissioners for Emitting Bills of Credit to pay to John Duckett, William Mills, and John Peacock the Sums of Money therein mentioned" and will pass with the following Amendment. "Leave out all that Relates to the payment of One hundred and thirty six Dollars to M.<sup>r</sup> John Duckett; and let an Allowance be made to him, on the Journal of Accounts, in the same manner as Allowances have been usually made to others for Similar Services." So Endorsed and Sent to the Lower House by Walter Dulany Esq:

p. 493 Read the first and second time, by an Especial Order, in this House, and will Pass, a Bill, entitled. "An Act empowering Edward



Tilghman, Solomon Wright, and others to Sell certain Lands devised by Colonel Vincent Lowe formerly of Talbot County to be Sold for the Purposes by the said [Devise] intended"—So Endorsed and Sent by William Fitzhugh Esq.:

U. H. J.  
Liber No. 36  
Nov. 10

Adjourned until Monday Morning 10 of the Clock.

Monday Morning 12.<sup>th</sup> November 1770.

Nov. 12

The House met again according to Adjournment.

Present as on Saturday except Bend.<sup>t</sup> Calvert Esq.:

Mess. :<sup>rs</sup> N. Thomas and Mackall from the Lower House acquaint his Excellency, that their Speaker is so much indisposed he is not able to Attend.

John Ridout Esq. :<sup>r</sup> is Sent to the Lower House to acquaint them that his Excellency requires their Attendance in the Upper House immediately—

The Lower House attend and his Excellency Desires them to return to their House and make Choice of a Speaker.

Mess. :<sup>rs</sup> Holliday and Grahame from the Lower House acquaint his Excellency, that their House hath made Choice of a Speaker.

John Beale Bordley Esq. is Sent to the Lower House, to acquaint them, that his Excellency requires their Attendance to present their Speaker.

The Lower House attend and Present Edward Tilghman Esq. :<sup>r</sup> as their Speaker, with which Choice his Excellency Declares himself well pleased.

Mess. :<sup>rs</sup> Mackall and Gant bring up an Engrossed Bill, entitled "An Act impowering Edward Tilghman, Solomon Wright, and others to Sell certain Lands Devised by Col.<sup>o</sup> Vincent Lowe formerly of Talbot County, to be Sold for the Purposes by the said Devise intended"—Read and Assented to by the Lower House of Assembly—which was Read and Assented to by this House, and ordered to be so Subscribed—the Paper Bills so Endorsed and Sent to the Lower House by Dan.<sup>l</sup> Dulany Esq.:

Read, and Referred to the Consideration of the Lower House of Assembly, the Petition of Henrietta Rogers, Mother and Natural Guardian of Nicholas Rogers, So Endorsed & Sent by W.<sup>m</sup> Hayward Esq.:

Adjourned until three of the Clock in the Afternoon.

P. 494

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning and B Calvert Esq.:

U. H. J. Mess:<sup>rs</sup> Johnson and Ringgold from the Lower House bring up  
Liber No. 36 the following Message  
Nov. 12

By the Lower House of Assembly 12:<sup>th</sup> Nov:<sup>r</sup> 1770

May it Please your Honours.

The Propositions which accompanied your Negative on the Inspection Bill last session . . . [*The message beginning thus is printed in full in the Lower House Journal, pp. 394-396.*]

p. 495 Mess:<sup>rs</sup> Allen and Dashiell from the Lower House bring up a Bill, entitled. "An Act to remedy the Omission of the Enrollment of a Deed of Bargain and Sale from Thomas Collier to Thomas Lightfoot, William Lightfoot, Abraham Mitchell, Walter Franklin, and Samuel Franklin"

Read the first and second time, by an especial Order, in the Lower House and will Pass.—which was Read the first time in this House and ordered to lie on the Table—

Adjourned until to Morrow Morning 10 of the Clock.

Nov. 13 Tuesday Morning 13:<sup>th</sup> of November 1770.

p. 496 The House met again according to Adjournment.

Present as Yesterday.

Mess:<sup>rs</sup> Holliday and Wright bring up an Engrossed Bill, entitled "A Supplementary Act to the Act entitled An Act to enable the Justices of Queen Anns County Court, for the Time being, to Levy on the Taxable Inhabitants of Saint Lukes Parish, in the said County, a Quantity of Tobacco, for Building a Chapel in the said Parish." Read and Assented to by the Lower House of Assembly.

Mess:<sup>rs</sup> A. Hall and Deye bring up an Engrossed Bill, Entitled. "An Act to divide Saint Georges Parish in Baltimore County." Read and Assented to by the Lower House of Assembly. These two Bills were Read and Assented to by this House, and Ordered to be so Subscribed, the Paper Bills so Endorsed Sent to the Lower House by William Hayward Esquire.

The following Message Sent to the Lower House by John Ridout Esq:

By the Upper House of Assembly 13:<sup>th</sup> November 1770.  
Gentlemen.

Our last Message contained the Propositions which our Conferrees would have been Instructed to make, had a Conference taken place according to any of the Precedents we have pointed out.

The Election we are willing to extend to all Persons, as well Planters as others, to discharge all Fees and the Poll Tax in Tobacco or Money—as might occasionally best Suit them, would be an

effectual Reduction of Fees, and contribute very much to the Ease and Convenience of the people, but we think the new Regulation you have proposed would reduce them so low as not to have a sufficient and proper Support for the Officers—If there have been Abuses in Practice, under the old Regulation, and the Provisions in the late Inspection Act are ineffectual for their Prevention we should be willing to Concur in any reasonable Method, to alter, explain, or inforce those Provisions; but as the new Regulation is framed, there can be no doubt but it would be Productive of very great Reduction, on Articles clearly chargeable under the old, and for this we Appeal to the two Regulations, and what at first Sight must strike every Reader.

U. H. J.  
Liber No. 36  
Nov. 13

We entirely Agree with you in Opinion, that Protracting the Session, by a Procedure from which nothing is to be expected but a fruitless Expence, ought always to be avoided and therefore explicitly inform you that we shall adhere, (except as above mentioned,) to our Proposition respecting the Regulation. p. 497

Signed by Order U Scott Cl. Up. Ho.

Mess:<sup>rs</sup> Wootton and Heugh bring up an Engrossed Bill, entitled “An Act to establish a Market in Frederick Town in Frederick County, and for the Regulation of the said Market”—Read and Assented to by the Lower House of Assembly, which was Read and Assented to by this House, and ordered to be So Subscribed. the Paper Bill so Endorsed Sent to the Lower House by William Hayward Esquire—

Read the second time, by an Especial Order, in this House, a Bill entitled. “An Act to remedy the Omission of the Enrollment of a Deed of Bargain and Sale from Thomas Collier, to Thomas Lightfoot, William Lightfoot, Abraham Mitchell, Walter Franklin and Samuel Franklin:” and will Pass with the following Amendment—In the eighth line of the last Page, after the word “Province” leave out the words “or any other matter or Thing therein contained” So Endorsed and sent to the Lower House by William Hayward Esq.<sup>r</sup>

Mess:<sup>rs</sup> Heugh and Wootton from the Lower House bring up a Bill. entitled. “An Act to divide All Saints Parish in Frederick County, and to erect two new Parishes by the Names of Eden Parish, and Frederick Parish.” Read the first and Second time in the Lower House and will Pass”—which was Read the first time in this House, and ordered to lie on the Table.

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

U. H. J.  
Liber No. 36  
Nov. 13  
p. 498

Present as in the Morning.

Read the first and second Time, by an Especial Order, in this House, a Bill entitled. "An Act to impose a further Duty on Negroes imported into this Province, and for the better Support of County Schools"—and will not Pass, So Endorsed and Sent to the Lower House by W.<sup>m</sup> Fitzhugh Esquire—

Read and Rejected the Petitions of Andrew Gearry, and John Rourk Prisoners in Baltimore County Goal.

Adjourned until to Morrow Morning 10 of the Clock.

Nov. 14

Wednesday Morning 14:<sup>th</sup> November 1770.

The House met again according to Adjournment.

Present as Yesterday.

Mess:<sup>rs</sup> Allen and Dashiell bring up an Engrossed Bill, entitled "An Act to remedy the Omission of the Enrollment of a Deed of Bargain and Sale from Thomas Collier to Thomas Lightfoot, William Lightfoot, Abraham Mitchell, Walter Franklin, and Samuel Franklin" Read and Assented to by the Lower House of Assembly, which was Read and Assented to by this House, and Ordered to be so Subscribed, the Paper Bill so Endorsed, and Sent to the Lower House by Dan.<sup>l</sup> Dulany Esq.<sup>r</sup>

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Adjourned until to Morrow Morning 10 of the Clock.

Nov. 15

Thursday Morning 15:<sup>th</sup> of November 1770.

The House met again according to Adjournment.

Present as Yesterday.

Read, and Referred to the Consideration of the Lower House of Assembly the Remonstrance of the Justices of Ann Arundel County—So Endorsed and Sent by John Ridout Esq.<sup>r</sup>

Mess:<sup>rs</sup> Dashiell and Purnel bring up a Bill, entitled "An Act for explaining a Clause, in An Act entitled an Act for the Encouragement of an Iron Manufacture within this Province"—Read the first and Second time in the Lower House and will Pass.

Mess:<sup>rs</sup> N. Thomas and Veazey bring up a Bill, entitled. "An Act for the Establishment of a Chapel of Ease in Saint Peters Parish

p. 499



in Talbot County"—Read the first and Second time in the Lower House and will Pass.

U. H. J.  
Liber No. 36  
Nov. 15

Mess:<sup>rs</sup> Wootton and Heugh bring up a Bill, entitled, "A Supplementary Act to the Act entitled An Act for the Relief of the poor within the several Counties therein mentioned." Read the first and second Time in the Lower House and will Pass.

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Mess:<sup>rs</sup> Johnson and Hall from the Lower House bring up the following Message.

By the Lower House of Assembly 15:<sup>th</sup> November 1770.

May it please your Honours.

We are apprehensive, from your Message of the 13<sup>th</sup> Instant . . . [*The message beginning thus is printed in full in the Lower House Journal, pp. 401-402.*]

Read the first and second time, by an Especial Order, in this House. A Bill entitled "An Act for the Establishment of a Chapel of Ease in Saint Peters Parish in Talbot County" and will Pass—  
So Endorsed and Sent to the Lower House by W.<sup>m</sup> Hayward Esq.<sup>r</sup>

p. 500  
p. 501

Read the first and second time, by an Especial Order in this House, and will not Pass a Bill entitled. "An Act for explaining a Clause in an Act entitled An Act for the Encouragement of an Iron Manufacture within this Province." So Endorsed and Sent to the Lower House by William Fitzhugh Esquire—

Adjourned until to Morrow Morning 10 of the Clock.

Friday Morning 16:<sup>th</sup> November 1770.

Nov. 16

The House met again according to Adjournment.

Present as Yesterday.

Mess:<sup>rs</sup> Thomas and Ware bring up an Engrossed Bill, entitled "An Act for the Establishment of a Chapel of Ease in Saint Peters Parish, in Talbot County." Read and Assented to by the Lower House of Assembly, which was Read and Assented to by this House, and Ordered to be so Subscribed, the Paper Bill So Endorsed Sent to the Lower House by William Hayward Esq.<sup>r</sup>

Mess:<sup>rs</sup> Dashiell and Tyler from the Lower House bring up the following Message, together with the Bill entitled. "An Act for the Relief of certain Prisoners in the several Jails therein mentioned."

U. H. J.  
Liber No. 36  
Nov. 16

By the Lower House of Assembly 16:<sup>th</sup> November 1770.

May it please your Honours.

We return you the Bill for the Relief of certain Prisoners in the several Jails therein mentioned with the Amendments Proposed by your Honours, Altho' a Clause Similar to this Amendment has been heretofore Proposed by your House, and Assented to by this, in Bills for the Relief of Prisoners, Experience has Shewn us that it wants some explanation, and therefore we are unwilling to Agree to the Amendments as it now stands—Whether a person is of sufficient Ability of Body to Labour is a Question of Judgment and Discretion, What shall be said to be a Family is a matter about  
p. 502 which doubts have arisen. We think there ought to be some person pointed out to determine these Questions, where they may arise, the Sheriff would be an improper Judge, as he alone would in most Cases be Benefited by the Sale—If your Honours intend that the Justices shall be the Judges, we think it not expressed with sufficient Certainty—We also think it might be more clearly expressed that it should not be Compulsory upon the persons described in the Amendment to serve, but that they ought to have an Election to Serve or take no Benefit by the Law—These Objections being removed we shall Pass the Bill with the Amendment—

Signed by Order Jn.<sup>o</sup> Duckett Cl. Lo. Ho

Read the first and second time, by an Especial Order in this House a Bill entitled "A Supplementary Act to the Act entitled An Act for the Relief of the Poor within the several Counties therein mentioned"—and will pass, So Endorsed & Sent to the Lower House by Dan.<sup>1</sup> Dulany Esq.:

The following Message is Sent to the Lower House by John B. Bordley Esq.

By the Upper House of Assembly 16:<sup>th</sup> November 1770.

Gentlemen

Being desirous of removing as far as we can, all Misunderstandings, we must take the Liberty to recapitulate what has Passed in our Intercourse on the Inspection Bill, in order to shew the proper State to which the matter has been brought.

We returned the Bill with a Negative and Message in the last Session, under an Expectation that the Proposal of a Conference would come from your House, as happened on a Similar Proceeding in the Year 1745, and 1766.

No Proposal of a Conference having been made by your House, we inferred that you were averse from making the first Overture, and therefore on our part, Pursuing the Method observed in 1747, we made it.

Had a Conference been the Consequence of this Proposal the Bill in all its Parts would have been the Subject, but you declined to engage in a Conference on these general Terms, or on Amendments you might Propose, before you had them in one View: On Your Intimation of this Circumstance, we informed you in our last Message what our Conferrees would have received in Charge as Instructions to regulate their Conduct, had a Conference ensued on the Proposal we first made for the purpose.

U. H. J.  
Liber No. 36  
Nov. 16

p. 503

If a Conference had been Proposed by your House, we would at once have joined you therein, and instructed our Conferrees in the manner above mentioned; On this Consideration, There has been long experience of the Regulation of Fees contained in the Inspection Act, it was established on much Deliberation, it has been continued by many different Assemblies; on These Circumstances a Presumption arises, that the old Regulation was in the Main, well adapted to the Subject; but you having observed in your Message of the Twelfth Instant, that many Abuses in the Charges under the old Regulation had fallen within your Notice, and that you had endeavoured to obviate the Pretences you esteem to be Abuses, we therefore have informed you, that we should be willing to concur with you in any Proper Method to prevent all real Abuses for the future, upon the whole, we meant that the old Regulation, so far as no Abuses were imputable to its defects, should stand, and so far as Abuses had really happened in Practice under it, that it should be corrected in the Instances wherein a Correction should appear to be expedient, by this Mode of Procedure we Apprehend a better Regulation may be established than by a new List.

If however you incline to Confer as Proposed in your last Message, on these Points Viz.<sup>t</sup> The Fees of Officers and the Provisions thereon dependant, the Mode of recovering Penalties and the time of Closing the Inspection, as well as on the last Proposition contained in our Message of the Tenth Instant, we shall be ready to join you, and consider the Conference as Proceeding from your Proposal, but we hold Ourselves Obligated to inform you, to prevent disappointment, that we shall think ourselves to be at full Liberty to instruct our Conferrees, and that we shall explicitly instruct them, not to agree to any Departure from the old Regulation, except for the Purpose of preventing Abuses in Charges under it, if on this Account a Correction or Alteration shall appear to be expedient, and also not to agree to any further Reduction of Fees, than that which must necessarily follow from the Election given to all persons to discharge the Fees in Tobacco or Money as may best Suit them.

p. 504

On our being informed that you will engage in a Conference on these Terms, we shall proceed to the Appointment of Conferrees or that you will not your Bill shall be returned—

Signed by Order—U Scott Cl. Up. Ho.

U. H. J.      The following Message is Sent to the Lower House by George  
 Liber No. 36      Steuart Esq.<sup>r</sup> together with the Bill entitled. "An Act for the Relief  
 Nov. 16      of certain Prisoners in the several Jails therein mentioned"—

By the Upper House of Assembly 16:<sup>th</sup> November 1770.

Gentlemen

In Consequence of your Message of this Day by Mess:<sup>rs</sup> Dashiell and Tyler, we have inserted such Words in the Clause by this House Proposed to be added to the Act for the Relief of sundry Prisoners, as we apprehend will obviate any Doubts which might otherwise have arisen as Suggested in your Message—

Signed by Order. U Scott Cl. Up. Ho

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

This House met again according to Adjournment.

Present as in the Morning.

Mess:<sup>rs</sup> Wootton and Heugh bring up an Engrossed Bill, entitled "a Supplementary Act to the Act entitled An Act for the Relief of the poor within the several Counties therein mentioned"—Read and Assented to by the Lower House of Assembly—which was Read and Assented to by this House and ordered to be so Subscribed, the Paper Bill so Endorsed, and Sent to the Lower House by William Hayward Esq.<sup>r</sup>

Adjourned until to Morrow Morning 10 of the Clock.

Nov. 17      Saturday Morning 17:<sup>th</sup> November 1770:

p. 505      The House met again according to Adjournment.

Present as Yesterday except Daniel Dulany Esq.<sup>r</sup>

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Mess:<sup>rs</sup> Hall and Paca from the Lower House bring up the following Message, together with the Bill entitled, "An Act to enable the Commissioners for Emitting Bills of Credit to Pay to John Duckett William Mills and John Peacock the Sums of Money therein mentioned."

By the Lower House of Assembly 17:<sup>th</sup> [16] November 1770.

May it Please your Honours.



We return you the Bill for the Payment of John Duckett . . . U. H. J.  
 [The message beginning thus is printed in full in the Lower House Liber No. 36  
 Journal, pp. 407-408.] Nov. 17

Adjourned until Monday Morning 10 of the Clock. p. 506

Monday Morning 19:<sup>th</sup> November 1770. Nov. 19

The House met again according to Adjournment.

Present as Yesterday and Dan.<sup>1</sup> Dulany Esq.:

Mess:<sup>rs</sup> Johnson and Hall from the Lower House bring up the following Message.

By the Lower House of Assembly 19:<sup>th</sup> [17] November 1770.

May it please your Honours.

From recapitulating in your Messages particular Parts of your Conduct . . . [The lengthy message beginning thus is printed in full in the Lower House Journal, pp. 411-414.]

Mess:<sup>rs</sup> Allen and Bordley bring up a Bill entitled. "A Supple- p. 511  
 mentary Act to the Act entitled an Act to prevent disabled and  
 Superannuated Slaves being Set Free or the Manumission of Slaves  
 by any last Will or Testament." Read the first and second time by  
 an especial Order in the Lower House and will not Pass.

Mess:<sup>rs</sup> Ringgold and Tilghman bring up a Bill entitled. "An  
 Act relating to Replevins." Read the first and second time in the  
 Lower House and will not Pass—

Mess:<sup>rs</sup> Thomas and Purnel bring up an Engrossed Bill, entitled  
 "An Act for the Relief of certain Prisoners in the several Jails  
 therein mentioned." Read and Assented to by the Lower House of  
 Assembly, which was Read and Assented to by this House and  
 ordered to be so Subscribed, the Paper Bill so Endorsed sent to the  
 Lower House by William Hayward Esquire.

Mess:<sup>rs</sup> Griffith and Wootton bring up a Bill, entitled. "An Act  
 for the Adjournment and Continuance of Ann Arundel and Fred-  
 erick County Courts"—Read the first and second time by an especial  
 Order in the Lower House, and will Pass—which was Read the  
 first and second time, by an Especial Order in this House, and will  
 not Pass—So Endorsed & Sent to the Lower House by William  
 Fitzhugh Esq.

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Read the second Time in this House the Bill, entitled. "An Act  
 to divide All Saints Parish in Frederick County, and to erect two

U. H. J. New Parishes by the Names of Eden Parish, and Frederick Parish”  
 Liber No. 36 —and will Pass with the following Amendments Leave out from  
 Nov. 19 the Word “*therein*” in the 4.<sup>th</sup> Line of the first Page to the Word  
 p. 512 “*Parish*” inclusive, in the eighth Line of the same Page Leave out  
 from the Word “*Parishes*”—in the third Line from the Bottom of  
 the first Page, to the word “*Parish*” in the seventh Line from the  
 Bottom of the third Page—Leave out from the Word “*Districts*”  
 in the third Line from the Bottom of the third Page, all that follows  
 in that Page, Leave out from the Word “*Cases*” in the third Line  
 of the fifth Page to the End of the Bill—So Endorsed & Sent to the  
 Lower House by John Ridout Esq.

Adjourned until to Morrow Morning 10 of the Clock.

Nov. 20 Tuesday Morning 20.<sup>th</sup> November 1770.

The House met again according to Adjournment.

Present as Yesterday.

The following Message is Sent to the Lower House by W.<sup>m</sup> Hayward Esquire together with the Bill entitled “An Act to enable the Commissioners for Emitting Bills of Credit, to pay to John Duckett, William Mills and John Peacock the Sums of Money therein mentioned.”

By the Upper House of Assembly 20.<sup>th</sup> November 1770.  
 Gentlemen.

The many Instances in which this House have from Time to Time exercised their Right to Amend Bills for the Appropriation of Public Money are too well known to make it necessary for us to point out Precedents for the Measure we lately pursued with Respect to the Bill entitled. “An Act to enable the Commissioners for Emitting Bills of Credit to pay to John Duckett, William Mills and John Peacock the Sums of Money therein mentioned.” We shall therefore only Say in Answer to the first Part of your Message of Saturday, that, disregarding the exclusive Claim you are now Pleased to Set up, this House will, as freely as they have heretofore done, continue to exercise their Judgment whenever Bills for the Application of Public Money come before them, and either refuse Absolutely, give their Assent to, or propose Amendments to such Bills in the manner they may think most expedient or reasonable.

We do not object to the Quantum Proposed to be allowed M.<sup>r</sup> Duckett, but are not disposed to make him or others consider an order of your House alone of more Efficacy and Weight than an Act of the whole Legislature, and think he will have little reason to complain, if, (especially after the favor shewn him by the Ordinance of 1768) he be put on no worse footing than those who have performed similar Services, Pursuant to the Directions of Acts of

Assembly, To these Parts of the Bill in Question which are calculated to rectify Errors, that were made in the last Journal of Accounts, or List of Debts, to the Injury of William Mills, and John Peacock, we have not the least Objection, and therefore return the Bill to you either to adopt or reject to [*sic*] Our Amendments. If by saying the Journal of Accounts was Sent up for our Assent only you mean that we are to be restrained from examining into the Justice or Reasonableness of the several Allowances therein made, from making Objections to any that may, in our Opinion, be liable thereto, or insisting on the Insertion of such others as ought, according to our Notions of Right and Justice, to have a place there, We do not wish to have the Journal Sent us again on such Terms, if it comes be assured we shall (as the Upper House has hitherto done since the Mode of Leaving it to a Committee of both Houses to adjust the Publick Accounts was dropt,) consider it as our Right, and our Duty to inspect the Journal, and prevent the Province being burthened with any unjust, or the just Claims of Publick Creditors being excluded—We admit Gentlemen that the Journal happened to be with us at the Time it was thought expedient to put an End to the late Session of Assembly, but had your Committee of Accounts been inclined to proceed to Business this Session, the same Measure might have been Satisfactory now which was Pursued after the Sessions of 1745; and 1760; when the Journal was left in the Upper House, neither Assented to nor Rejected, but, altho' the Journal was very early this Session delivered to one of your Members, you did not think fit to receive it.

U. H. J.  
Liber No. 36  
Nov. 20

Signed by Order U Scott Cl. Up. Ho.

Mess.<sup>rs</sup> Hall and Deye bring up a Bill, entitled: "An Act to enable Nicholas Rogers an Infant to Demise the Real Estate therein mentioned." Read the first and second time by an especial Order in the Lower House and will Pass—which was Read the first and Second time, by an especial Order, in this House, and will Pass with the following Amendments Viz.<sup>t</sup> Add in the Preamble after the Word "*Estate*" in the 13:<sup>th</sup> Line the following Words Viz.<sup>t</sup> "*not less than one hundred and fifty Pounds Sterling.*" And after the Word "*him*" in the Fifteenth Line add the following Words Viz.<sup>t</sup> "*and that not less than the Sum of one hundred and fifty pounds Sterling be reserved in the whole on the Ground Subject to be Leased or Demised as aforesaid*"—So Endorsed and Sent to the Lower House by W.<sup>m</sup> Hayward Esq.<sup>r</sup> p. 514

Read the Second time in this House the Bill, entitled. "An Act for Amending the Staple of Tobacco, for preventing Frauds in His Majestys Customs, and for the Regulation of Officers Fees" and will not pass—So Endorsed and Sent to the Lower House together with the following Message by George Steuart Esquire.

U. H. J.  
Liber No. 36  
Nov. 20

By the Upper House of Assembly 20:<sup>th</sup> November 1770.  
Gentlemen

We have declared in the most explicit Terms that we were willing to concur with you in explaining, correcting, altering or enforcing the Provisions of the old Regulation of Fees, in every Instance wherein real Defects have been discovered.

This we thought was a sufficient Answer to your general Complaint of Abuses, or Pretences you esteemed to be Abuses, what you esteemed to be Abuses, we were of Course to be informed of by yourselves; if a Conference had taken place, it would have been our Part to have received your Information, considered Your Evidence, examined the old Regulation, weighed your Reasons and formed, and communicated to you Our Opinion on the Subject, but instead of pursuing the Matter in this regular Train, you are Pleased to  
p. 515 Say, that you do not clearly comprehend what we call Abuses, and are of Opinion we are unacquainted with what you deem such, When we merely repeated, in your own Language, that we should be ready to join you in Correcting the Practices you esteemed to be Abuses, if they should appear to us in the same Light;

What you might think to be Abuses we could not divine, and apprehended it would be our proper time to judge thereof after we had been fully apprised of, and examined your Proofs, considered accurately the alledged Defective Parts of the old Regulation, and deliberated the Matter on all Information you could give us, we have referred to no Abuses but in the Recital of your own Expressions, and presuming you understood your own meaning, we did not apprehend you could be at a Loss in ascertaining what Charges of Abuses were to be produced, and become the Subject of a Conference.

As to the matters contained in your Questions, they would have been Properly under Consideration if a Conference had been agreed upon, in Order to Effectuate the Passage of the Law, but permit us to Observe that the Questions, as you have Proposed them, are of a very extraordinary nature and of a Tendency inconsistent with the Spirit of our Constitution. The Resolves or Declarations of one, or both Houses of Assembly, however assertive in Opinion, and Vehement in Expression, are not Laws, nor ought they to be Promulgated, to direct or influence the Determination of the appointed legal Courts, Juries and Judges ought there [then?] to give their Decisions without Prejudice or Bias, Whether any Officer has been Guilty of Extortion is a Question, which neither your nor our Declaration ought to Prejudicate, but that our Declarations held out to the Publick would have in no small Degree this Effect can hardly be doubted, and on our Part, Particularly, such a Declaration would be the more  
p. 516 improper, the last legal Appeal in this Province being to us, it would be to anticipate Questions before they came to us through their regular Channel, to decide first and hear afterwards.



If the Commissary General, Secretary, Clerks of Counties, Examiner and Surveyors or any of them have Charged Fees the old Regulation does not Justify, and the Provisions of it really require Explanation Correction, alteration or Enforcement, a Competent remedy might easily have been introduced on a Conference, but we must take the Liberty to remark, that whatever your Informations and Enquiries and Opinions may be, we have very great Reason to suspect that the Representation, (let the Design of it be what it may,) aimed at in your Questions cannot be maintained on just and legal Grounds.

U. H. J.  
Liber No. 36  
Nov. 20

The Principle you advance is certainly true, that where a Law expressly regulates and ascertains the Reward to be Paid for a Service, it ought to be observed, A Principle which Regards not Persons their Callings or their Professions, but equally extends to all, and if there be any Reason for Inforcements in particular Instances, it results from the Circumstance, that in such Instances, the Power to extort and address is less resistable than in other, The Officer without doubt ought to be held to a Strict observance of the Restrictions Provided to Controul his Conduct, if he does not observe them he is punishable, but yet there are favourable Opportunities given, by which Oppression in this Case may be avoided. The Service is done on Credit, The Fee for it must be Stated in Writing, if the Demand be illegal it may be refused and Contested, the Lawyer, by An Act of Assembly expressed in the Clearest Terms, is Prohibited from asking for demanding receiving or taking any greater Fee than is thereby Established, on the above Principle he ought to be held to an observance of this Law. He moreover has it in his power to oblige the person who wants his Assistance, before the Business is undertaken to Pay his Demand, Hence he has it more in his Power than the Officer to extort and Oppress, and therefore if a Difference should be made between them it ought rather to be in binding the Lawyer with more Strictness than for the Officer, but though you cannot deny the Existence of the Law, which lays these Restrictions on the Lawyers, Yet you are of Opinion that he, with more Power to oppress, ought not to be so Strictly Bound as the Officer, who has less, because you suppose we Proposed the Amendments to your Bill entitled "An Act to ease the Inhabitants of this Province in the Payment of Attornies Fees" with a view "to destroy those of the Profession who have concurred with others in opposing the Encroachments of Power" If an Observance of the Law would be really so mischievous as to destroy these Gentlemen, it ought to be repealed, or rendered less rigorous; for a Law which intends to bring Destruction upon the Objects of it, without their Fault is cruel indeed, and a Law that [ought not] to be observed is extremely injudicious, and therefore ought to be abrogated, and especially as the Example in Violations of it may have a bad Effect upon the

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U. H. J. Manners of the people, who may thereby be induced to think, that  
 Liber No. 36 they may disobey what they find in the Observance to be injurious  
 Nov. 20 to their Interest.

The Exorbitancy of the Profits of the Officers must appear, from the Published Lists to be very great indeed, to those who are unacquainted with the Deductions therefrom, They may be assisted with, or form very alarming Estimates from them, but we have Precisely Proposed, that in Lieu of all other Profits Advantages and Emoluments, there may be allowed to the Secretary, Commissary General, and Judges of the Land Office, an Annual Income of £600 Sterling, but this you have rejected If this Income would fall short of the profits which arose from the old Regulation, why not as good Stewards, secure on so fair an Opportunity the overplus for the Publick Use. This we must do you the Justice to say you would not decline if a saving was expected; but you think the £600. per Annum too much; we think otherwise, and you are Apprehensive there would not be the same Diligence in advancing the Interest of the Publick, as there is now employed for the Benefit of the Officers.

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Extortion or Oppression you would not desire, and if Officers commit the Crime because they gain by it, the Plan is strongly recommended by the very Circumstance that it would take away all Temptation to extort or oppress, but surely there can be very little Ground to imagine that Business on Application would be refused to be done by persons accountable to the Assembly, as well as to the parties applying, that Fees would not be charged for Services when Negligence would be liable to so Easy Detection, and to so severe Animadversion, or that Sheriffs would be less regular in their Collections and returns, when their Accounts would be Subject to their Review of so many Gentlemen, best acquainted with the people in every County of the Province. No Alternative as you have suggested given by the Act of 1747 to the Planters was intended to be taken from them, but a new one was offered which that Act did not give, and the Planter would moreover have had an Opportunity of discharging Fees at the rate of 12/6 Per hundred Pounds of Tobacco by an immediate Payment, which he might easily make; the Principal Services he would have occasion for might be rated as soon as performed, and the incidental Charges arising on Court Proceedings would not be payable till done, and when done would be as easily rated as any other, and as easily in this Province, as in any Place where a Similar Rule obtains. Tho the Points between us at present do not defend on the Proposals made in the last, but on those made in this Session, and therefore it is not now very material to consider what would have been the Effects of the old Proposals, if adopted, since they have been superseded by new ones, yet the Attention due to your last Message would not allow us altogether to pass over without Notice the former Proceedings.

On what Reasons the Governor was advised or thought Proper to Prorogue the Assembly lately, we are not at large to inform You, but they were such as we are Persuaded can be fully sustained on the Principles of our Constitution.

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The Points between us in this Session, are, whether our Staple shall be under the Regulation from which so great Benefits have been incontestably derived [for] a Course of Twenty three Years to this Province, and to the Neighboring and for a much longer Period, whether there shall be provided a convenient Method of Complying with an Act of Parliament, founded most Probably upon the Inspection Act, whether the Fee of Officers and Lawyers shall be payable in Tobacco or Money at the rate of 12/6 per 100<sup>lbs</sup>, at the Choice of the People, as may best Suit their Circumstances, and the Poll Tax in Tobacco or Money at the same Rate, with the small Addition of 2<sup>th</sup> Per Poll, in case of Money Payments; whether the old Regulation, originally established on much Deliberation, and continued by so many different Assemblies, shall stand, except in such Instances wherein Abuses are justly chargeable to its defects, in Respect of which, on their being properly and regularly Pointed out on a Conference, we have repeatedly expressed our willingness to join you, in explaining, correcting, altering or enforcing the Provisions, We have most clearly and expressly declared our Desire that a Law might Pass for the above Purposes, unhappily, we fear for the Province, you differ with us in Opinion, and therefore we have returned your Bill with a Negative, extremely sorry, that the Time taken up has been Productive of so great expence, and so little Advantage to the Country.

Signed by Order U Scott Cl. Up. Ho.

Mess:<sup>rs</sup> Chase and Johnson bring up a Bill, entitled "An Act to continue the Power of Inspectors, and for other Purposes therein mentioned." Read the first and second time by an Especial Order, in the Lower House and will Pass—which was Read the first Time in this House and ordered to lie on the Table.

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Adjourned until to Morrow Morning 10 of the Clock

Wednesday Morning 21:<sup>st</sup> November 1770.

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The House met again according to Adjournment

Present as Yesterday

Mess:<sup>rs</sup> Heugh and Luckett bring up an Engrossed Bill entitled "An Act to divide All Saints Parish in Frederick County and to Erect two new Parishes by the Names of Eden Parish and Frederick Parish" Read and Assented to by the Lower House of Assembly.

Mess:<sup>rs</sup> Aquilla Hall and Deye bring up an Engrossed Bill, en-

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titled. "An Act to enable Nicholas Rogers an Infant to Demise the Real Estate therein mentioned" Read and Assented to by the Lower House of Assembly—These two Bills were Read and Assented to by this House, and ordered to be so Subscribed the Paper Bills so Endorsed Sent to the Lower House by John Beale Bordley Esq:ʳ

Mess:ʳs Worthington and Beall bring up a Bill, entitled. "An Act to Ease the Inhabitants of this Province in the Payment of Attornies Fees and Dues to the Clergy." Read the first and second time, by an Especial Order in the Lower House and will pass—which was Read the first and second time, by an especial Order, in this House, and will not pass—So Endorsed and Sent to the Lower House by George Steuart Esq:ʳ

Read the second Time by an especial order in this House a Bill entitled "An Act to continue the Power of Inspectors and for other Purposes therein mentioned" and will Pass with the following Amendments Viz:ʳ Leave out in the Title the Words; "*and for other Purposes therein mentioned*" and after the Word "*Warehouses*" in the 16.<sup>th</sup> Line of the second Page, leave out the Residue of the Bill. So Endorsed and sent to the Lower House by W:ʳm Fitzhugh Esq:ʳ

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

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Present as in the Morning

Ordered that the Clerk of this House receive the same Fees on all Private Bills, Passed this Session, as shall be paid to the Clerk of the Lower House.

Ordered that the Clerk of this House do deliver Copies of all such Proceedings of this House, during the last and present Session, to be Published in the Maryland Gazette, as shall be required by Daniel Dulany, John Ridout Walter Dulany, and George Stewart Esquires or the Majority of them.

Benedict Calvert and Daniel Dulany Esquires are Sent to the Lower House to acquaint them, that his Excellency requires their Attendance in the Upper House immediately, to See the Bills passed this Session receive the Assent.

The Lower House attend, and by their Speaker Present to his Excellency the following Bills.

A Bill entitled, An Act empowering Edward Tilghman Solomon Wright and others to Sell certain Lands Devised by Col:º Vincent Lowe, formerly of Talbot County, to be Sold for the Purposes by the said Devise intended.



A Bill entitled a Supplementary Act to the Act entitled An Act to enable the Justices of Queen Anns County Court for the Time being to Levy on the Taxable Inhabitants of Saint Lukes Parish, in the said County, a Quantity of Tobacco for Building a Chapel in the said Parish.

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A Bill entitled, An Act to divide Saint Georges Parish in Baltimore County.

A Bill entitled, An Act to establish a Market at Frederick Town in Frederick County, and for the Regulation of the said Market.

A Bill entitled, An Act to remedy the Omission of the Enrollment of a Deed of Bargain and Sale from Thomas Collier to Thomas Lightfoot, William Lightfoot, Abraham Mitchell, Walter Franklin and Samuel Franklin.

A Bill Entitled An Act for the Establishment of a Chapel of Ease in Saint Peters Parish in Talbot County.

A Bill entitled a Supplementary Act to the Act entitled An Act for the Relief of the Poor, within the several Counties therein mentioned. p. 522

A Bill entitled An Act for the Relief of certain Prisoners in the several Jails therein mentioned.

A Bill entitled An Act to divide All Saints Parish in Frederick County, and to Erect two New Parishes by the Names of Eden Parish, and Frederick Parish.

A Bill entitled An Act to enable Nicholas Rogers an Infant to Demise the Real Estate therein mentioned.

All which his Excellency Passed into Laws (except the Bill entitled. "An Act to divide Saint Georges Parish in Baltimore County.") in the usual form, by Sealing them with the Right Honourable the Lord Proprietary his Great Seal at Arms, and Subscribing them. On Behalf of the Right Honourable the Lord Proprietary of this Province I Will this be a Law.

After which His Excellency was pleased to make the following Speech—

Gentlemen of the Upper and Lower Houses of Assembly.

I have thought fit, with the Advice of his Lordships Council of State, to Prorogue this Assembly until Tuesday the Eleventh Day of December next, you will therefore be Pleased to take Notice that you are Prorogued to that Day accordingly.

Thus ends this Session of Assembly, begun and held at the City of Annapolis, on Monday the Fifth Day of November, ending the twenty first Day of the same Month, in the Twentieth Year of his Lordships Dominion Anno Domini 1770.

U Scott Cl. Up. Ho.

# PROCEEDINGS

## OF THE

### LOWER HOUSE OF ASSEMBLY

L. H. J. At a Session of Assembly begun and held at the City of Annapolis  
 Liber No. 54 on Monday the fifth Day of November Anno Domini 1770 and in the  
 1770  
 Nov. 5 twentieth Year of the Dominion of the Right Honourable Frederick  
 p. 144 Absolute Lord and Proprietary of the Provinces of Maryland and  
 Avalon Lord Baron of Baltimore &<sup>ta</sup> (his Excellency Robert Eden  
 Esquire being Governor) the following Delegates appeared in the  
 Lower House of Assembly Viz.<sup>t</sup>

The Honourable Edward Tilghman Esquire Speaker

For Kent County

M.<sup>r</sup> Thomas Ringgold  
 M.<sup>r</sup> Robert Buchanan  
 M.<sup>r</sup> Stephen Bordley

For Baltimore County

M.<sup>r</sup> Thomas Cockey Deye  
 M.<sup>r</sup> John Paca

For Cæcil County

M.<sup>r</sup> John Veazy  
 M.<sup>r</sup> William Baxter

For Ann Arundel County

M.<sup>r</sup> Samuel Chase  
 M.<sup>r</sup> B. T. B. Worthington  
 M.<sup>r</sup> Thomas Johnson jun.<sup>r</sup>  
 M.<sup>r</sup> Henry Griffith

For Prince George's County

M.<sup>r</sup> Josias Beall  
 M.<sup>r</sup> Robert Tyler  
 M.<sup>r</sup> Thomas Contee

For Calvert County

M.<sup>r</sup> Benjamin Mackall 4.<sup>th</sup>  
 M.<sup>r</sup> Edward Gantt

For the City of Annapolis

M.<sup>r</sup> John Hall  
 M.<sup>r</sup> William Paca

For Charles County

M.<sup>r</sup> William Smallwood  
 M.<sup>r</sup> Francis Ware  
 M.<sup>r</sup> Jo: Hanson Harrison

For Queen Anne's County

M.<sup>r</sup> Thomas Wright

For Worcester County

M.<sup>r</sup> William Allen  
 M.<sup>r</sup> Joseph Dashiell

For Somerset County

M.<sup>r</sup> William Adams

For Frederick County

M.<sup>r</sup> William Lockett  
 M.<sup>r</sup> Andrew Heugh  
 M.<sup>r</sup> Tho.<sup>s</sup> Sprigg Wootton

For Talbot County

M.<sup>r</sup> Matthew Tilghman  
 M.<sup>r</sup> James Dickinson

A sufficient Number of Members to compose a House being convened at the Stadt House

L. H. J.  
Liber No. 54  
Nov. 5

Ordered, That M.<sup>r</sup> William Paca and M.<sup>r</sup> Smallwood do acquaint his Excellency the Governor therewith

Benedict Calvert and Daniel Dulany Esquires from the Upper House acquaint M.<sup>r</sup> Speaker that the Governor requires the Attendance of the Lower House immediately in the Upper House

M.<sup>r</sup> Speaker left the Chair, and attended by the Members of the Lower House, went to the Upper House, where his Excellency made the following Speech

Gentlemen of the Upper and Lower Houses of Assembly

I have only to request of you to proceed to complete the Business which I recommended to you at the Opening of the last Session of Assembly

M.<sup>r</sup> Speaker (with the rest of the Members) returned and resumed the Chair

On motion, Leave given to bring in a Bill for the Adjournment and Continuance of Baltimore County Court

Ordered, That M.<sup>r</sup> Chase do prepare and bring in the same

M.<sup>r</sup> Chase brings in and delivers to M.<sup>r</sup> Speaker, a Bill, entitled, An Act for the Adjournment and Continuance of Baltimore County Court.

Which was read the first and second Time by an especial Order and will pass. Sent to the Upper House by M.<sup>r</sup> Chase and M.<sup>r</sup> Paca. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill. p. 145

Daniel Dulany, Esq; from the Upper House delivers to M.<sup>r</sup> Speaker the Bill, entitled, An Act for the Adjournment and Continuance of Baltimore County Court, thus indorsed: "By the Upper House of Assembly, November 5.<sup>th</sup> 1770: Read the first and second Time, by an especial Order, and will pass.

Signed by Order U Scott Cl. Up. Ho."

Which was read here and past for ingrossing

The ingrossed Bill, entitled, An Act for the Adjournment and Continuance of Baltimore County Court, read and assented to, and sent to the Upper House with the Paper Bill thereof, by M.<sup>r</sup> Johnson and M.<sup>r</sup> John Hall. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

John Beale Bordley, Esq; from the Upper House, delivers to M.<sup>r</sup> Speaker the Paper Bill, entitled, An Act for the Adjournment and Continuance of Baltimore County Court; thus indorsed:

"By the Upper House of Assembly November 5.<sup>th</sup> 1770: The ingrossed Bill whereof this is the Original, read and assented to.

Signed by Order U Scott Cl. Up Ho."

L. H. J. Benedict Calvert and Daniel Dulany, Esquires from the Upper  
 Liber No. 54 House, acquaint M.<sup>r</sup> Speaker that the Governor requires the At-  
 Nov. 5 tendance of the Lower House immediately in the Upper House to  
 see the Law past

M.<sup>r</sup> Speaker left the Chair, and (with the Members of the Lower House) went to the Upper House and there presented to his Excellency the ingrossed Bill, entitled, An Act, for the Adjournment and Continuance of Baltimore County Court

Which his Excellency past into a Law in the usual Manner

M.<sup>r</sup> Speaker (with the rest of the Members) returned and resumed the Chair

On Motion, unanimously Resolved, That Process immediately issue to the Serjeant at Arms attending this House, to take into his Custody the Body of William Steuart, and have him at the Bar of this House to answer at the Bar of this House, for taking Notes of Hand for the Payment of excessive fees in the Land Office, not warranted by Law and also for imposing an Oath as a Justice of the Peace not appointed and required by Law and for a high Contempt of this House

On Motion, Leave given to bring in a Bill for amending the Staple of Tobacco, for preventing frauds in his Majesty's Customs, and for the Regulation of Officers Fees

Ordered, That M.<sup>r</sup> Ringgold, M.<sup>r</sup> John Hall, M.<sup>r</sup> Tilghman, M.<sup>r</sup> Johnson, M.<sup>r</sup> W. Paca, M.<sup>r</sup> Bordley, M.<sup>r</sup> Chase, M.<sup>r</sup> Allen, M.<sup>r</sup> Mackall, and M.<sup>r</sup> Worthington, do prepare and bring in the same

On Motion, Ordered, That an Address be prepared in Answer to his Excellency's Speech

Ordered, That M.<sup>r</sup> Tilghman, M.<sup>r</sup> Chase, M.<sup>r</sup> Johnson, M.<sup>r</sup> J. Hall, M.<sup>r</sup> W. Paca, M.<sup>r</sup> Ringgold, M.<sup>r</sup> Bordley, M.<sup>r</sup> Mackall, and M.<sup>r</sup> Allen, do prepare and bring in the said Address

On Motion, Leave given to bring in a Bill for the Relief of certain languishing Prisoners in the several County Jails therein mentioned

Ordered, That M.<sup>r</sup> Chase, M.<sup>r</sup> Allen, M.<sup>r</sup> Harrison, M.<sup>r</sup> Beall, and M.<sup>r</sup> Tyler do prepare and bring in the same.

M.<sup>r</sup> Ralph Dobinson is appointed a Committee Clerk

The House adjourns till To-morrow Morning 8 O'Clock

Nov. 6 Tuesday November 6:<sup>th</sup> 1770

p. 146 The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read

M.<sup>r</sup> Ringgold brings in and delivers to M.<sup>r</sup> Speaker, a Bill, entitled, An Act for amending the Staple of Tobacco, for preventing frauds



in his Majesty's Customs, and for the Regulation of Officers fees: L. H. J.  
Which was read the first and second Time by an especial Order, and Liber No. 54  
and will pass. Sent to the Upper House by M.<sup>r</sup> Ringgold, and M.<sup>r</sup> J. Hall. Nov. 6  
They Return and acquaint M.<sup>r</sup> Speaker they delivered the Bill.

M.<sup>r</sup> Beall, M.<sup>r</sup> Tyler, M.<sup>r</sup> Allen, M.<sup>r</sup> Harrison, M.<sup>r</sup> Mackall, and M.<sup>r</sup> Worthington, are appointed a Committee of Grievances and Courts of Justice, and they have Power to send for Persons, Papers, and Records.

John Ridout, Esq from the Upper House, delivers to M.<sup>r</sup> Speaker the following Petitions, viz.<sup>t</sup> The Petition of the Inhabitants of Saint George's Parish, in Baltimore County, praying for a Division thereof. The Petition of the Rector and Vestrymen of Saint Peter's Parish, in Talbot County, praying to make the Chapel in that Parish parochial. And, The Petition of Elizabeth Philips, a languishing Prisoner in Prince George's County Jail, severally indorsed: "By the Upper House of Assembly November 6.<sup>th</sup> 1770: Read and referred to the Consideration of the Lower House of Assembly

Signed by Order U Scott Cl. Up Ho."

John Beale Bordley Esq from the Upper House, delivers to M.<sup>r</sup> Speaker a Bill, entitled, A Supplementary Act to the Act, entitled, An Act to prevent disabled and superannuated Slaves being set free, or the Manumission of Slaves by any last Will or Testament. And, A Bill, entitled, An Act relating to Replevins; severally indorsed; "By the Upper House of Assembly, November 6.<sup>th</sup> 1770 Read the first and second Time by an especial Order and will pass

Signed by Order U Scott Cl. Up Ho."

Benedict Calvert, Esq from the Upper House, delivers to M.<sup>r</sup> Speaker the Petition of Mayberry Helms, jun.<sup>r</sup> a languishing Prisoner in Baltimore County Jail, praying Relief; thus indorsed: "By the Upper House of Assembly, November 6.<sup>th</sup> 1770 Read and referred to the Consideration of the Lower House of Assembly

Signed by Order U Scott Cl. Up Ho."

M.<sup>r</sup> Grahame appeared in the House

M.<sup>r</sup> Reverdy Ghiselin certifies, that M.<sup>r</sup> Ralph Dobinson took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, and also the following Oath, Viz.<sup>t</sup> "You Ralph Dobinson do swear, that you will true Entries make, of all such Matters and Things, as shall be to you directed by any Committee of the Lower House of Assembly for whom you shall act as Clerk, and that you will not divulge the Secrets of the said House of Assembly, or of any Committee thereof; but will in all Things, well and truly demean yourself according to the best of your Knowledge: So help you God

R Ghiselin"

The House adjourns till To-morrow Morning 8 O'Clock

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Wednesday November 7.<sup>th</sup> 1770

The House met according to Adjournment.

The Members were called, and all appeared as on Yesterday.

The Proceedings of Yesterday were read

On Motion, Leave given to bring in a Bill to divide All Saints Parish, in Frederick County.

Ordered, That M.<sup>r</sup> Heugh, M.<sup>r</sup> Wootton, M.<sup>r</sup> Luckett, M.<sup>r</sup> Johnson, and M.<sup>r</sup> J. Hall, do prepare and bring in the same.

The Petition of the Vestrymen and Parishioners of Saint George's Parish, in Baltimore County, read the first and second Time and granted

Leave given to bring in a Bill according to the Prayer of the Petition

Ordered, That M.<sup>r</sup> J. Paca, M.<sup>r</sup> Deye, and M.<sup>r</sup> W. Paca, do prepare and bring in the same

The Petitions of Samuel Smith, Elizabeth Philips, Mayberry Helmes, jun.<sup>r</sup> and Frederick Beckerer, read and granted.

The Petition of the Rector and Vestrymen of Saint Peter's Parish in Talbot County read & granted Leave given to bring in a Bill according to the Prayer of the Petition

Ordered, That M.<sup>r</sup> Tilghman, M.<sup>r</sup> Dickinson, & M.<sup>r</sup> J. Hall, do prepare and bring in the same.

The Bill entitled, An Act for the Relief of certain Prisoners in the several Jails therein mentioned, read the first and second Time by an especial Order, and will pass. Sent to the Upper House by M.<sup>r</sup> Baxter and M.<sup>r</sup> Deye. They return, and acquaint M.<sup>r</sup> Speaker they delivered the Bill

M.<sup>r</sup> Reverdy Ghiselin certifies, that M.<sup>r</sup> Thomas Brooke Hodgkin took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, and also took the following Oath, Viz.<sup>t</sup> "You Thomas Brooke Hodgkin do swear, that you will true Entries make, of all such Matters and Things as shall be to you directed by any Committee of the Lower House of Assembly for whom you shall act as Clerk, and that you will not divulge the Secrets of the said House of Assembly, or of any Committee thereof; but will, in all Things, well and truly demean yourself according to the best of your Knowledge: So help you God.

R Ghiselin"—

On Motion, Leave given to bring in a Bill to enable the Commissioners for emitting Bills of Credit, to pay to John Duckett, William Mills, and John Peacock, the Sums of Money therein mentioned.

Ordered, That M.<sup>r</sup> Chase do prepare and bring in the same

M.<sup>r</sup> Chase brings in and delivers to M.<sup>r</sup> Speaker, a Bill, entitled, An Act to enable the Commissioners for emitting Bills of Credit, to pay to John Duckett, William Mills, and John Peacock, the Sum of Money therein mentioned: Which was read the first and second Time by an especial Order, and will pass. Sent to the Upper House by M.<sup>r</sup> W. Paca and M.<sup>r</sup> Smallwood.

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They return, and acquaint M.<sup>r</sup> Speaker they delivered the Bill

The Bill, entitled, a Supplementary Act to the Act, entitled, An Act to prevent disabled and superannuated Slaves being set free, or the Manumission of Slaves by any last Will or Testament, was read the first and second Time, by an especial Order, and the Question was put, that the said Bill do pass? Resolved in the Negative

For the Negative

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Mess. <sup>rs</sup>	Buchanan	Adams	J. Hall	[16]
	Bordley	Deye	Wright	
	Griffith	Veazy	Allen	
	Mackall	Baxter	Wootton	
	Smallwood	Tyler		
	Ware	Contee		

For the Affirmative

Mess. <sup>rs</sup>	Ringgold	Grahame	Beall	[15]
	Chase	Harrison	W. Paca	
	Worthington	Tilghman	Dashiell	
	Johnson	Dickinson	Luckett	
	Gantt	J. Paca	Heugh	

On Motion, Leave given to bring in a Bill for laying a further Duty on Negroes imported into this Province and for the Encouragement of County Schools

Ordered, That M.<sup>r</sup> Ringgold, M.<sup>r</sup> Grahame, M.<sup>r</sup> Harrison, and M.<sup>r</sup> W. Paca, do prepare and bring in the same

On Motion, Leave given to bring in a Bill for the Tryal of all Matters of fact in the several Counties where they have arisen or shall arise upon the Eastern Shore

Ordered, That M.<sup>r</sup> Bordley, M.<sup>r</sup> Allen, M.<sup>r</sup> Ringgold, M.<sup>r</sup> Dashiell, and M.<sup>r</sup> Buchanan do prepare and bring in the same

Ordered, That M.<sup>r</sup> Worthington, M.<sup>r</sup> Ringgold, M.<sup>r</sup> Grahame, M.<sup>r</sup> Beall, M.<sup>r</sup> Dickinson, and M.<sup>r</sup> Contee be a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit established by Act of Assembly

The Bill, entitled, An Act relating to Replevins was read the first Time, and ordered to lie on the Table

L. H. J. Ordered, That M.<sup>r</sup> John Hall, M.<sup>r</sup> Chase, M.<sup>r</sup> Johnson, M.<sup>r</sup> W.  
 Liber No. 54 Paca, M.<sup>r</sup> Tilghman and M.<sup>r</sup> Ringgold, do prepare an Address to  
 Nov. 7 his Excellency respecting the State of the publick Offices  
 The House adjourns till To-morrow Morning 8 O'Clock

Nov. 8 Thursday, November 8:<sup>th</sup> 1770

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings were read

On Motion, Leave given to bring in a Bill agreeable to the Prayer of the Petition of Edward Tilghman, Solomon Wright, and others, which was granted by both Houses of Assembly last Session

M.<sup>r</sup> Tilghman brings in and delivers to M.<sup>r</sup> Speaker an Address to his Excellency; which was read, unanimously approved of, and ordered to be ingrossed

Daniel Dulany, Esq from the Upper House, delivers to M.<sup>r</sup> Speaker the following Message

p. 149 By the Upper House of Assembly, 8:<sup>th</sup> of November 1770.  
 Gentlemen,

We have considered the Bill, entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Regulation of Officers fees, and think it very exceptionable in many Respects; but as the Tranquillity and Welfare of the Province depend very much upon a Regulation of our Staple of Tobacco, and the fees of Officers, we propose a Conference with your House upon the Bill.

Signed by Order U Scott Cl. Up. Ho.

Which was read and ordered to lie on the Table

The following Message

By the Lower House of Assembly November 8:<sup>th</sup> 1770  
 May it please your Honours

This House hath appointed M.<sup>r</sup> Worthington, M.<sup>r</sup> Ringgold, M.<sup>r</sup> Grahame, M.<sup>r</sup> Beall, M.<sup>r</sup> Dickinson, and M.<sup>r</sup> Contee, to join One or more Members of your House as a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit established by Act of Assembly

Signed by Order Jn.<sup>o</sup> Duckett Cl. Lo. Ho.

was sent to the Upper House by M.<sup>r</sup> Worthington and M.<sup>r</sup> Grahame

They return and acquaint M.<sup>r</sup> Speaker they delivered the Message  
 M.<sup>r</sup> Ringgold brings in, and delivers to M.<sup>r</sup> Speaker, a Bill, entitled,



An Act for laying a further Duty on Negroes imported into this Province, and for the Encouragement of County Schools: Which was read the first and second Time, by an especial Order, and will pass. Sent to the Upper House by M.<sup>r</sup> Mackall, and M.<sup>r</sup> Ware. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

L. H. J.  
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M.<sup>r</sup> Steele appeared in the House

M.<sup>r</sup> Ringgold brings in, and delivers to M.<sup>r</sup> Speaker the following ingrossed Address

To his Excellency Robert Eden, Esquire Governor and Commander in Chief in and over the Province of Maryland

The humble Address of the House of Delegates

May it please your Excellency,

At the Opening of this Session, you were pleased to say, "that you had only to request, that we would proceed to compleat the Business recommended to us at the opening of the last Session of Assembly." We shall therefore take up that Business as nearly as can be done, in the same State it was dropt by the late abrupt Prorogation. We should be wanting in Duty to your Excellency, to the People and to ourselves, were we to pass over in Silence a Measure, from which so many ill Consequences flow. When we view, as its Effects, a considerable Charge to the Province; a total Stagnation of Business for several Days; Bills of Importance before both Houses unfinished, that must be taken up anew; the Journal of Accounts laying before the Upper House; the Petitions of many People defeated, or with Expence and Difficulty renewed; an Enquiry into the Grievances of others stopped, and the Parties laid under the Necessity either of attending at a heavy Expence, or going away unheard; a publick Offender released, and publick Justice evaded; we cannot but complain of the prorogation as an undue and illadvised Exertion of Power: That Power with which your Excellency, as supreme Magistrate, is constitutionally invested for the Good of the People. Whatever might have been your Excellency's Motive, we may be allowed to conjecture, that as the immediate Releasement of M.<sup>r</sup> William Steuart was to be the certain Effect, his Commitment was the true Cause of the Prorogation; and as we are unwilling that our Conduct should at any Time appear to your Excellency in a disadvantageous Light, and think it our Duty to represent to you the Misbehaviour of your Officers, we take the Liberty of presenting you with a Copy of a Report from the Committee of Grievances at the last Session relative to M.<sup>r</sup> William Steuart, and of the Resolves and Proceedings of this House in Consequence of it: By which it will appear, that he, as Clerk of the Land Office, by Instructions from his Principals, had taken Notes of Hand for the Payment of Fees according to Proclamation or Regulation, which should happen, and had also tendered and administred an Oath not appointed or required by Law. These

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L. H. J. are Attempts, may it please your Excellency, which, as Guardians  
 Liber No. 54 of publick Liberty, we are indispensably obliged to take Notice of,  
 Nov. 8 and to suppress in their very Beginnings: They are such a Violation  
 of the Law, such an Invasion of the Right of the Subject, as cannot  
 be submitted to by a free People.

The Proprietor has no Right, Sir, either by himself, or with the Advice of his Council, to establish or regulate the fees of Office; and could we persuade ourselves, that you could possibly entertain a different Opinion, we should be bold to tell your Excellency, that the People of this Province ever will oppose the Usurpation of such a Right

We will not suppose that your Excellency had any Knowledge of or could possibly countenance these Transactions; and, therefore, we can with the greater freedom remonstrate against the Conduct of the Honourable Benedict Calvert and George Steuart, Esq.<sup>rs</sup>, who have thus daringly insulted the whole Legislature at that Time assembled for the very Purpose of regulating Officers fees, by attempting to introduce a Regulation of fees by Proclamation; a Measure odious to the whole Province, to those, especially, who can remember the Time when the illegal Project was first set on foot. We are persuaded that your Excellency will, upon every Occasion, pay a due Regard to our Constitutional Rights; and as we cannot but view these Proceedings of the Registers of the Land Office as very high Misdemeanors, and have thought it our Duty to remonstrate against them, we will not entertain a Doubt but that your Excellency, upon this Information of the representative Body, will also consider them as great Infringements of the Rights of the People, and will immediately call those Officers before you, and signify your Displeasure at, and Disapprobation of, their Conduct, and it is our Request that, upon a Repetition of the Offence, your Excellency will, without Hesitation, displace them from their Office. The imposing an Oath without the Authority of Law is an Offence so arbitrary and dangerous in its Nature, that we shall submit to your Excellency, how prudent it may be to continue M.<sup>r</sup> William Steuart in the Magistracy.

p. 150 [151] Which was read and assented to and signed by Order of the House by the Honourable Speaker

Ordered, That M.<sup>r</sup> Smallwood and M.<sup>r</sup> Wootton do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when and where he will be pleased to receive it. They return, and acquaint M.<sup>r</sup> Speaker, that the Governor signified he would receive the Address immediately in the Council Chamber

Ordered, That M.<sup>r</sup> Speaker, attended by the whole House, do present the Address to his Excellency. M.<sup>r</sup> Speaker, upon his Return, reports, that he delivered the Address to his Excellency.

The Message from the Upper House, brought in by Daniel Dulany, Esq was read a second Time.

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Ordered, That M.<sup>r</sup> Ringgold, M.<sup>r</sup> J. Hall, M.<sup>r</sup> Johnson, M.<sup>r</sup> Tilghman, M.<sup>r</sup> Worthington, M.<sup>r</sup> W. Paca, M.<sup>r</sup> Chase, M.<sup>r</sup> Bordley, and M.<sup>r</sup> Allen, do prepare and bring in a Message in Answer thereto

Ordered, That M.<sup>r</sup> Allen do acquaint the Reverend M.<sup>r</sup> Jacob Hindman that he is requested, by this House, to read Divine Service, every Morning during this Session, at three Quarters after Seven.

John Ridout, Esq from the Upper House, delivers to M.<sup>r</sup> Speaker the Petition of the Vestrymen and Church wardens of Saint Luke's Parish in Queen Anne's County, praying that an Act may pass, to enable the Magistrates of Queen Anne's County to levy on the taxable Inhabitants of that Parish, at the November Court in 1771, the Quantity of thirty thousand Pounds of Tobacco, for building a new Chapel in the said Parish; thus indorsed: "By the Upper House of Assembly, 7.<sup>th</sup> November, 1770 Read and referred to the Consideration of the Lower House of Assembly

Signed by Order U Scott Cl. Up. Ho."

Which was read here and granted. Leave given to bring in a Bill according to the Prayer of the Petition

Ordered, That M.<sup>r</sup> Wright do prepare and bring in the same

M.<sup>r</sup> Wright brings in and delivers to M.<sup>r</sup> Speaker a Bill, entitled, A Supplementary Act to the Act, entitled, An Act to enable the Justices of Queen Anne's County Court, for the Time being, to levy on the taxable Inhabitants of Saint Luke's Parish in the said County a Quantity of Tobacco for building a Chapel in the said Parish

M.<sup>r</sup> Harrison delivers to M.<sup>r</sup> Speaker the Petition of Ann Gaither

Ordered, That the said Petition be referred to the Consideration of a Committee; and that they do examine the Matter thereof, and report the same, as it shall appear to them, to the House

M.<sup>r</sup> Harrison, M.<sup>r</sup> Deye, M.<sup>r</sup> Smallwood, M.<sup>r</sup> Adams, and M.<sup>r</sup> Baxter, are appointed a Committee accordingly; and they have Power to send for Persons Papers and Records

William Hayward Esq from the Upper House delivers to M.<sup>r</sup> Speaker the following Message.

By the Upper House of Assembly, 8.<sup>th</sup> November 1770

This House hath appointed Benedict Calvert and Walter Dryden, Esquires to join the Members of your House named by you, for the Purpose in your Message of this Morning by Mess.<sup>rs</sup> Worthington and Grahame

Signed by Order U Scott Cl. Up. Ho.

John Ridout, Esquire from the Upper House delivers to M.<sup>r</sup> Speaker the Petition of Thomas Lightfoot and others praying that

L. H. J. an Act may pass to enable the Clerk of Worcester County to record a  
 Liber No. 54 Deed from Thomas Collier to the said Thomas Lightfoot and others  
 Nov. 8 which had not been recorded agreeable to Law, and that they might,  
 upon such recording be vested with the same Estate that they would  
 have been, had the said Deed been recorded within six Months from  
 p. 152 the Acknowledgment of the said Deed; thus indorsed: "By the  
 Upper House of Assembly, 8:<sup>th</sup> November 1770: Read and referred  
 to the Consideration of the Lower House of Assembly.

Signed by Order U Scott Cl. Up. Ho."

Ordered, That the said Petition be referred to the Consideration  
 of a Committee, and that they do examine the Matter thereof, and  
 report the same, as it shall appear to them, to the House.

M.<sup>r</sup> Allen, M.<sup>r</sup> J. Hall, M.<sup>r</sup> Dashiell, and M.<sup>r</sup> Chase, are appointed  
 a Committee accordingly; and they have Power to send for Persons,  
 Papers and Records

M.<sup>r</sup> John Paca brings in, and delivers to M.<sup>r</sup> Speaker, a Bill, en-  
 titled, An Act to divide Saint George's Parish in Baltimore County.

The House adjourns till To-morrow Morning 8 O'Clock

Nov. 9

Friday November 9:<sup>th</sup> 1770

The House met according to Adjournment.

The Members were called, and all appeared as on Yesterday.

The Honourable Edward Tilghman, Esquire, Speaker, having in-  
 timated by Letter to the House, that he was greatly indisposed, and  
 unable to attend the publick Business; M.<sup>r</sup> N. Thomas, and M.<sup>r</sup>  
 Smallwood are ordered to acquaint his Excellency, that the Speaker  
 is sick, and cannot attend the publick Business

Benedict Calvert, Esq from the Upper House, acquaints the Mem-  
 bers of the Lower House, that the Governor requires their Attendance  
 in the Upper House.

The Members of the Lower House accordingly attended his Ex-  
 cellency in the Upper House, where his Excellency required them  
 to return to their House, and choose a Speaker

The Members of the Lower House accordingly returned, and  
 unanimously made Choice of Mr. Brice Thomas Beale Worthington  
 to be their Speaker and placed him in the Chair

Ordered, That M.<sup>r</sup> Griffith, and M.<sup>r</sup> W. Paca do acquaint the  
 Governor that this House hath made Choice of a Speaker.

John Ridout, Esq from the Upper House, acquaints the Members  
 of the Lower House, that the Governor requires their Attendance  
 to present their Speaker to him

M.<sup>r</sup> Speaker left the Chair, and (with the Members of the Lower



House) went to the Upper House, where the Members of the Lower House presented their Speaker to his Excellency the Governor

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His Excellency approved the Choice

M.<sup>r</sup> Speaker, (with the Members of the Lower House) returned and resumed the Chair

The Proceedings of Yesterday were read

M.<sup>r</sup> Hollyday, M.<sup>r</sup> N. Thomas, and M.<sup>r</sup> Ward appeared in the House

M.<sup>r</sup> W. Paca brings in and delivers to M.<sup>r</sup> Speaker, a Bill, entitled, An Act empowering Edward Tilghman, Solomon Wright, and others, to sell certain Lands devised by Col.<sup>o</sup> Vincent Lowe, formerly of Talbot County, to be sold, for the Purposes by the said Devise intended: Which was read the first Time, and ordered to lie on the Table.

On Motion, Leave given to bring in a Bill to establish a Market in Frederick Town, in Frederick County, and for the Regulation of the said Market p. 153

Ordered, That M.<sup>r</sup> Heugh, M.<sup>r</sup> Luckett, M.<sup>r</sup> Wootton, and M.<sup>r</sup> Mackall, do prepare and bring in the same.

The Bill entitled, An Act to divide Saint George's Parish in Baltimore County, read the first Time, and ordered to lie on the Table

On Motion, Leave given to bring in a Bill, entitled, A Supplementary Act to the Act, entitled, An Act for the Relief of the Poor within the several Counties therein mentioned

Ordered, That M.<sup>r</sup> Wootton, M.<sup>r</sup> Heugh, M.<sup>r</sup> Luckett, M.<sup>r</sup> Johnson, and M.<sup>r</sup> Mackall, do prepare and bring in the same

The Bill, entitled, A Supplementary Act to the Act, entitled, An Act to enable the Justices of Queen Anne's County Court for the Time being, to levy on the taxable Inhabitants of Saint Luke's Parish in the said County, a Quantity of Tobacco for building a Chapel in the said Parish, was read the first Time, and ordered to lie on the Table

M.<sup>r</sup> Heugh brings in, and delivers to M.<sup>r</sup> Speaker, A Bill, entitled, An Act to establish a Market in Frederick Town, in Frederick County, and for the Regulation of the said Market: Which was read the first Time, and ordered to lie on the Table

M.<sup>r</sup> J. Hall brings in, and delivers to M.<sup>r</sup> Speaker the following Message

By the Lower House of Assembly, November, 9.<sup>th</sup> 1770  
May it please your Honours,

We agree with you in Opinion, that the Tranquility and Welfare of the Province depend very much upon a Regulation of our Staple of Tobacco, and the fees of the Officers: Under that Idea, we with great Care revised our late Inspection Law, and were governed by

L. H. J. Principles of Justice and publick Utility: But as your Honours think  
 Liber No. 54 the Bill now before you on that Subject very exceptionable in many  
 Nov. 9 Respects, we request you to point out the Amendments you have to  
 propose, that we may have them before us in One View, and then  
 we shall with Pleasure agree to a Conference, if we judge it expedient.

Signed by Order Jn.<sup>o</sup> Duckett Cl. Lo. Ho.

Which was read and approved of, and sent to the Upper House  
 by M.<sup>r</sup> J. Hall and M.<sup>r</sup> Johnson

They return and acquaint M.<sup>r</sup> Speaker they delivered the Message

The Bill, entitled, An Act, empowering Edward Tilghman, Solomon  
 Wright, &<sup>ta</sup> read a second Time by an especial Order, and will  
 pass. Sent to the Upper House by M.<sup>r</sup> W. Paca, and M.<sup>r</sup> Gantt.

They return, and acquaint M.<sup>r</sup> Speaker they delivered the Bill

On Motion, Ordered, That M.<sup>r</sup> Johnson be added to the Committee  
 of Grievances and Courts of Justice.

The House adjourns till To-morrow Morning 8 O'Clock

Nov. 10

Saturday November 10:<sup>th</sup> 1770

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings of Yesterday were read.

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M.<sup>r</sup> Griffith delivers to M.<sup>r</sup> Speaker the Petition of Alexander  
 Cumming, setting forth, that William Cumming, Esq.<sup>r</sup> the Peti-  
 tioners Father, at the Time of his Death, had, within the City of  
 Annapolis, a Lot of Ground, with a Dwelling House and Out-Houses  
 thereon, in which a Part of his Majesty's fforces were quartered, in  
 the Year seventeen hundred and fifty seven, who did considerable  
 Damage thereto; and prayed the House to take the Premises into  
 Consideration, and make him such Allowance as should be thought  
 reasonable for the Damages done the said Houses

Ordered, That the said Petition be referred to the Consideration  
 of a Committee, and that they do examine the Matter thereof, and  
 report the same, as it shall appear to them, to the House.

M.<sup>r</sup> J. Hall, M.<sup>r</sup> Griffith, M.<sup>r</sup> W. Paca, and M.<sup>r</sup> Mackall, are ap-  
 pointed a Committee accordingly; and they have Power to send for  
 Persons, Papers and Records.

M.<sup>r</sup> J. Hall brings in and delivers to M.<sup>r</sup> Speaker the following  
 Report—

By the Committee appointed to enquire into the Truth of the Facts  
 contained in the Petition of Alexander Cumming.

In Obedience to the Order of the Honourable House, your Com-  
 mittee have proceeded to examine into the Facts aforesaid, and

report as follows: That William Cumming the elder died in Possession of divers Lots of Ground, with a Dwelling house, and Out-houses thereon, lying in the new Town of the City of Annapolis, containing about two Acres, inclosed with a post and Rail Fence, and a large Garden thereon as alleged in said Petition. That the said William Cumming was much indebted at the Time of his Death, by Judgment, Mortgage, and otherwise, and in his Life-time had conveyed the said Lots, amongst other Things, to his Son William Cumming, jun.<sup>r</sup> in Trust, for the Benefit of his Creditors. That the Widow and Relict of the said William Cumming the elder lived on said Lots for some Time after his Death, and then removed into the Country, leaving the said Houses in the Occupation of Simon Duff. That about the Time in said Petition mentioned, a Part of his Majesty's Tories were quartered, in said Houses, which had got somewhat out of Repair before their Entry, and continued there some considerable Time, and at their Departure left the Premises in a ruinous and shattered Condition, as alleged in said Petition. That the said Lots and Houses have been since taken in Execution, appraised and sold, to satisfy the Judgments, or some of them, obtained against the said William Cumming the elder in his Life-time. That the Petitioner, Alexander Cumming, is eldest Son and Heir at Law of the said William Cumming: and also in the Year 1769 hath obtained a Deed of Bargain and Sale and Release from William Cumming the younger for all the Lands contained in said Deed of Trust, and amongst others the Lots and Houses above mentioned. All which is submitted to the Consideration of the honourable House.

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Signed per Order John Johnson Cl. Com.

The Petition of Alexander Cumming was read a second Time and rejected; it appearing by the above Report, that there were Creditors of the said Petitioner's father, who do not appear to this House to have been satisfied for their Debts.

M.<sup>r</sup> Allen brings in and delivers to M.<sup>r</sup> Speaker the following Report. p. 155

By the Committee appointed to enquire into the Truth of the facts contained in the Petition of Thomas Lightfoot, William Lightfoot, Abraham Mitchell, Walter Franklin, and Samuel Franklin.

In Obedience to the Order of the honourable House, your Committee have enquired into the facts contained in said Petition, and do find that, on or about the Time therein mentioned, Thomas Collier, late of Worcester County, for a valuable Consideration to him paid, bargained, sold and conveyed the said several Tracts of Land to the Petitioners and their Heirs, to hold to them, their Heirs and Assigns, in common. That the said Deed or Conveyance was acknowledged before two Magistrates of Worcester County. That the Possession of the Lands aforesaid passed to the Bargainees, in Pursuance of

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the Deed, who have made many valuable Improvements thereon That the Lands aforesaid lie to the Eastward of the Line lately drawn to divide the Province of Maryland from Pensylvania That the Deed aforesaid does not appear to your Committee ever to have been recorded. That the said Thomas Collier hath since removed out of this Province into Carolina. That no good Reason appears to your Committee why the said Deed was not recorded, other than what is alleged by the Petitioners. All which is submitted to the Consideration of the Honourable House

Signed per Order Thomas Brooke Hodgkin Cl. Com.

The Petition of Thomas Lightfoot and others was read a second Time and granted. Leave given to the Petitioners to bring in a Bill according to the Prayer of the Petition

The Bill, entitled, An Act to divide Saint George's Parish in Baltimore County, read a second Time and will pass. Sent to the Upper House by M.<sup>r</sup> J. Paca, and M.<sup>r</sup> Deye

They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

M.<sup>r</sup> Beall from the Committee of Grievances and Courts of Justice, brings in and delivers to M.<sup>r</sup> Speaker the following Report

By the Committee of Grievances and Courts of Justice November 10.<sup>th</sup> 1770.

Your Committee beg Leave to report, That on the Complaint of a certain Job Garretson of Baltimore County, against Daniel Chamier Sheriff, for an illegal Distress made on the Effects of the said Garretson, by Moses Galloway and John Ross, Deputy Sheriffs under the said Chamier, on the 24.<sup>th</sup> of October last, when said Garretson and his Wife were from Home, for fees and publick Dues. They have examined the said Complainant, his Papers, and also taken the Depositions of Alexander Madewell and James Madewell, which are hereunto annexed, together with an Advertisement for Sale of the aforesaid Effects, the 31.<sup>st</sup> of October, and do find that the said Distress was made on the 24.<sup>th</sup> Day of October last, after the Expiration of the late Inspection Law: That the said Effects were on the same Day taken from the Dwelling of said Garretson, and have since continued out of his Possession, altho a Tender was made of the Money the said Garretson was advised he was justly indebted to the aforesaid Daniel Chamier, as Sheriff of Baltimore County, before the Day advertised for Sale of the Effects distrained: That the said Sheriff appears to have executed for Sheriffs fees due himself, great Part of which arise from a Charge of per Diem fees, on two Executions against said Garretson, who alleges he was never confined, or had Victuals found him by said Sheriff. Your Committee conceive these Proceedings to be illegal, oppressive and not warranted by Law, but humbly submit the same to the Consideration of the honourable House

Signed by Order Ralph Dobinson Cl.



Ordered, That the Serjeant at Arms attending this House, do forthwith take into his Custody, the Body of Daniel Chamier, Sheriff of Baltimore County, and Moses Galloway and John Ross, his Deputies, and have them immediately at the Bar of this House, to answer to the Complaint of Job Garretson of Baltimore County, for an illegal and outrageous Distress made on his Effects, under Colour of the Office of Sheriff, reported to this House by the Committee of Grievances.

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Ordered, That the Clerk of this House do issue Subpenas for all such Witnesses as may be applied for by Job Garretson

The Bill, entitled, An Act to establish a Market in Frederick Town, in Frederick County, and for the Regulation of the said Market, read the second Time and will pass. Sent to the Upper House by M.<sup>r</sup> Heugh and M.<sup>r</sup> Wootton. They return, and acquaint M.<sup>r</sup> Speaker they delivered the Bill

The Bill, entitled, A Supplementary Act to the Act, entitled, An Act to enable the Justices of Queen Ann's County Court, for the Time being, to levy on the taxable Inhabitants of Saint Luke's Parish, in the said County, a Quantity of Tobacco for building a Chapel in the said Parish, was read a second Time and will pass. Sent to the Upper House by M.<sup>r</sup> Hollyday and M.<sup>r</sup> Wright. They return, and acquaint M.<sup>r</sup> Speaker they delivered the Bill

On Motion, Leave given to bring in a Supplementary Bill, to the Act, entitled, An Act to prevent the Exportation of Flour, Staves and Shingles, not merchantable, from the Town of Baltimore, in Baltimore County, and to regulate the Weight of Hay, and Measure of Grain, Salt, Flax seed and Fire wood within the said Town

Ordered, That M.<sup>r</sup> Deye, M.<sup>r</sup> J. Paca, and M.<sup>r</sup> W. Paca do prepare and bring in the same.

On Motion, Leave given to bring in a Bill to explain a Clause in An Act, entitled, An Act for the Encouragement of an Iron Manufacture within this Province

Ordered, That M.<sup>r</sup> J. Dashiell, M.<sup>r</sup> Adams, M.<sup>r</sup> J. Hall, and M.<sup>r</sup> Chase do prepare and bring in the same.

On Motion, Ordered, That M.<sup>r</sup> Ringgold, M.<sup>r</sup> Chase, M.<sup>r</sup> N. Thomas, and M.<sup>r</sup> W. Paca, be a Committee to enquire what Laws will expire with the Close of this Session, and report the same to the House.

M.<sup>r</sup> Thomas Beddingfield Hands, Administrator with the Will annexed, of Beddingfield Hands, late Treasurer of the Eastern Shore, exhibited his Account, in which there appearing to be a Mistake in his own Prejudice, he has Leave to correct the same, and exhibit another Account next Session

M.<sup>r</sup> Beall from the Committee of Grievances, and Courts of Justice, brings in, and delivers to M.<sup>r</sup> Speaker the following Report.

L. H. J. By the Committee of Grievances and Courts of Justice, November 10.<sup>th</sup> 1770  
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Your Committee, upon the Complaint of Samuel Luckett of Prince George's County, against John Addison, Esq<sup>r</sup> Sheriff of same County, for the said Addison's executing the Body of said Luckett for ffees, notwithstanding the said Luckett, directed the said Sheriff to execute his Horse; and also for refusing to deliver up to the said Luckett a Crop Note, which he delivered the Sheriff in Security, to save him from Jail until he settled the Affair and paid the Balance that might be justly due, which he tendered to said Addison the same Day in a Transfer Note. Your Committee having heard the Allegations of the said Samuel Luckett, and taken the Depositions of a certain John Brown and John Boon Luckett, hereunto annexed, are of Opinion, that the said Sheriff acted illegally in executing the Body of said Luckett when he offered his Horse to be executed as aforesaid, and also in detaining and refusing to deliver up to said Luckett the Crop Note aforesaid, on the Tender of a Transfer Note by the said Luckett for the Balance of Fees due; but humbly submit the same to the Consideration of the honourable House.

Signed by Order Ralph Dobinson, Cl.

Which was read and concurred with

The Deposition of John Brown, Brazier, of Prince George's County, being a Person of full Age, and duly sworn on the holy Evangelists of Almighty God, before me the Subscriber, one of his Lordship's Justices of the Peace for Ann Arundel County, this ninth Day of November 1770. The said Deponent, on his Oath aforesaid, saith, that in the Time of the last August Court, held for Prince George's County, a Dispute arose between John Addison, Esq<sup>r</sup>; Sheriff of the said County, and Samuel Luckett jun.<sup>r</sup> of the same County, about the Payment of some ffees which the said Addison claimed, as Sheriff, of the said Luckett, and which ffees, to the best of this Deponent's Remembrance, the said Luckett said he had paid, but which fees, this Deponent well remembers, the said Luckett objected to the Payment of: Upon which the said John Addison ordered Michael Lowe, a Deputy Sheriff, who was present, to execute the said Luckett. The said Luckett thereupon pointing his Hand from the Place where they stood, which was between the Court House and M.<sup>rs</sup> Thompson's Gate, towards the Trees, where many People generally tie their Horses, and where Horses were then standing tied, told the said Addison not to execute him (the said Luckett) there's my Horse, execute him. The said Addison then directed himself to the said Lowe, saying, take Care of him. The said Luckett then pulled out a Pocket Book, took out some Tobacco Notes and opened them, saying, here's Security enough; but this Deponent did not see the said Luckett's Horse, nor does he remember

to have seen the said Luckett deliver any Tobacco Notes. This Deponent further saith, that upon the said Addison's ordering the aforesaid Lowe to execute the said Samuel Luckett, he, the said Lowe, laying his Hand on the Person of the said Luckett, said, "I execute you in his Lordship's Name." And further this Deponent saith not.

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John Brown, Brazier

Sworn the Day and Year first above written, before R Ghiselin

John Boon Luckett of Prince George's County, being a Person of full Age, and duly sworn on the holy Evangelists of Almighty God, this Ninth Day of November 1770, deposeth and saith, that at last Prince George's County Court, John Addison, Esq<sup>r</sup> Sheriff of that County, called this Deponent's Father, Samuel Luckett, jun.<sup>r</sup> aside, and told him that he had Orders to execute him for the ffees which he had refused; and after further Conversation, in which the said Samuel Luckett still denied and refused to pay the ffees, the said Addison ordered Michael Lowe, his Deputy, and present, to execute him; on which the said Lowe pulled off his Hat, and laid his Hand on the said Samuel Luckett's Breast, but this Deponent being at a Distance, does not know what the said Lowe said, or whether he said any Thing. This Deponent afterwards drew near to the said Parties, and saw the said Samuel Luckett pay thirty Pounds of Tobacco to the said Lowe, who, after figuring on a Piece of Paper, said to the said Samuel Luckett, you may as well pay it, there's not above two hundred and fifty due, or thereaway. The said Samuel Luckett afterwards said, here's a Crop Note which I give as Security till I settle the Affair, which Lowe received, and said to the said Addison, there's a Note M.<sup>r</sup> Luckett gives as Security till he settles it, at the same Time delivering the Crop Note to the said Addison, which M.<sup>r</sup> Addison received, saying its very well. This Deponent further saith, that very soon afterwards, and as this Deponent thinks, within an Hour, the said Samuel Luckett went into the Court House, where the aforesaid Addison then was, and after touching him by the Sleeve, the said Addison looked round, and again looked from the said Sam<sup>l</sup> Luckett, who held a Tobacco Note open before his Face; but the said Addison, as if unwilling to look on the same Note, looked over it towards the Lawyers who were then pleading in Court—This Deponent further saith, that he heard the said Samuel Luckett ask the said Lowe why he did not execute his Horse, to which the said Lowe answered, "No damn you I've got your Body and that's better." And further this Deponent saith not.

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John B. Luckett

Sworn to the Day and Year first before written, before R Ghiselin

Ordered, That the Serjeant at Arms attending this House, do forthwith take into his Custody, the Body of John Addison, Sheriff

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of Prince George's County, and Michael Lowe, his Deputy, and have them immediately at the Bar of this House, to answer to the Complaint of Samuel Luckett, of Prince George's County, for illegally executing the Body of the said Luckett for fees

Ordered, That the Clerk of this House do issue Subpoenas for all such Witnesses as may be applied for by Samuel Luckett

John Ridout, Esq; from the Upper House, delivers to M.<sup>r</sup> Speaker the following Message.

By the Upper House of Assembly, November 10.<sup>th</sup> 1770  
Gentlemen,

In the last Session of Assembly We returned with a Negative and Message, . . . [*The message beginning thus is printed in full in the Upper House Journal, pp. 352-353*]

p. 159 Which was read and ordered to lie on the Table.

Daniel Dulany, Esq; from the Upper House, delivers to M.<sup>r</sup> Speaker, the Bill, entitled, An Act to establish a Market in Frederick Town, &<sup>ta</sup>

The Bill, entitled, A Supplementary Act, to the Act, entitled, An Act to enable the Justices of Queen Anne's County Court, &<sup>ta</sup> And, The Bill, entitled, An Act to divide Saint George's Parish, in Baltimore County; severally indorsed: "By the Upper House of Assembly, November 10.<sup>th</sup> 1770; Read the first and second Time, by an especial Order, and will pass.

Signed by Order U Scott Cl. Up. Ho."

Which were read here and passed for ingrossing

M.<sup>r</sup> Key, M.<sup>r</sup> W. Thomas, M.<sup>r</sup> Aquila Hall, and M.<sup>r</sup> Edward Tilghman, appeared in the House.

On a second Reading the Message from the Upper House, by John Ridout, Esq; Resolved, unanimously, That this House doth not agree that the Regulation of the fees, and the Provisions dependent thereon, be the same as in the last Inspection Act.

That this House doth not agree that the Mode of recovering Penalties be the same.

That this House doth not agree that there be no new Allowance on Tobacco Payments, or that the Clause in which it is comprised, may be so explained as clearly to extend only to cropped Tobacco.

The Question was put, that the Clergy receive on 32, instead of 30<sup>th</sup> of Tobacco per Poll, if paid in Money?

Resolved, That they receive on 32

For Thirty-two

Mess. <sup>rs</sup>	{ Key	Adams	Beall
	{ W. Thomas	M. Tilghman	Contee
	{ Ringgold	Dickinson	J. Hall



Mess. <sup>rs</sup>	Chase	N. Thomas	Wright	L. H. J. Liber No. 54 Nov. 10
	Johnson	J. Paca	Hollyday	
	Gantt	Steele	E. Tilghman	
	Grahame	Veazy	Dashiell.	
	Smallwood	Baxter		
	Ware	Ward		

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For Thirty

Mess. <sup>rs</sup>	Buchanan,	Harrison,	Allen,	[9]
	Bordley,	Deye,	Luckett,	
	Mackall,	W. Paca,	Heugh.	

Resolved, That this House doth not agree That the Inspection may be closed at the Time directed by the last Regulation p. 160

Unanimously Resolved, That this House doth not agree that there be an annual stated Income of six hundred Pounds Sterling to the Secretary, Commissary General, and Judges of the Land Office respectively

Resolved, That this House doth not agree that the fees and Proportion of the Poll-Tax, which became due during the Existence of the late Regulation, and remain unsatisfied, may be accordingly paid.

Ordered, That M.<sup>r</sup> Ringgold, M.<sup>r</sup> J. Hall, M.<sup>r</sup> Hollyday, M.<sup>r</sup> Tilghman, M.<sup>r</sup> Johnson, M.<sup>r</sup> Chase, M.<sup>r</sup> Allen, M.<sup>r</sup> W. Paca, M.<sup>r</sup> Grahame, and M.<sup>r</sup> Bordley, do prepare a Message to the Upper House, in Answer to their Message of this Day by John Ridout, Esq.

The Question was put, whether the following Question, Viz.<sup>t</sup> "Whether in the Message to be prepared in Answer to the Message of the Upper House; they shall be informed that this House cannot agree to confer with them upon the Clause of the Bill which directs that the Commissary General shall charge no fees for Services done by his Deputy," be now put?

Resolved in the Negative

For the Negative

Mess. <sup>rs</sup>	Key	Grahame	Contee	[18]
	W. Thomas	Adams	J. Hall	
	Buchanan	Dickinson	W. Paca	
	Bordley	N. Thomas	Wright	
	Mackall	Steele	Hollyday	
	Gantt	Baxter	Heugh	

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## For the Affirmative

Mess. <sup>rs</sup>	Ringgold	Harrison	Ward
	Chase	M. Tilghman	Beall
	Johnson	Deye	Allen
	Smallwood	Aquila Hall	Dashiell
	Ware	Veazy	

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Walter Dulany, Esq; from the Upper House, delivers to M.<sup>r</sup> Speaker, the Bill, entitled, An Act for the Relief of certain languishing Prisoners in the several Jails therein mentioned; thus indorsed: "By the Upper House of Assembly, November 10.<sup>th</sup> 1770 Read the first and second Time, by an especial Order, and will pass, with the Amendment hereunto annexed.

Signed by Order U Scott Cl. Up. Ho."

At the End of the last Page, add the following Clause, Viz.<sup>t</sup>

"And be it further enacted, by the Authority aforesaid, That if any of the Persons intended to be relieved by this Act, and who shall choose to take the Benefit thereof, are, and, shall in the Opinion of two Justices of the Peace of the County where the Party is a Prisoner, be of sufficient Ability of Body to labour, such Person or Persons, not having a Wife or Child, or Children under 12 Years of Age, shall be, and are hereby obliged to serve for a Time, not exceeding five Years, to any Person or Persons, who are or shall be inclined to purchase the Time of Servitude of such Debtor or Debtors, and that the respective Sheriffs, in whose Custody, the aforesaid Debtor, or any of them are, be and are hereby authorized and obliged to summon two Justices of the Peace in the respective Counties, at the Request of the said Prisoners, as soon as conveniently may be, after the End of this Session of Assembly; and after giving five Days Notice, at the Court House of the respective Counties, of the intended Sale of such Debtor or Debtors, expose to Sale, in the Presence of the said Justices, such Debtor or Debtors, and the Time of his or their Servitude to the highest Bidder; and the Money arising from such Sale, shall be as Effects of such Debtor or Debtors, in the Hands of the respective Sheriffs, subject as aforesaid, to a Distribution in Manner aforesaid; and the Sale and Service of such Debtor or Debtors, as aforesaid, is hereby directed to be taken as full and sufficient Acquittal and Discharge against all Debts due from such Debtor or Debtors before such Sale. Provided, That in Case it shall appear to the Satisfaction of the said Justices, that any of the said Debtors have offered, since their Confinement, to make Satisfaction to their Creditors, by Servitude, and that their Creditors have refused to accept the same, that the Time such Debtors have been confined in Prison shall be deemed and taken as Part of the aforesaid five Years, and that they shall be obliged to serve only for such Time as will complete five Years from the Day

of such Offer of Servitude; and that in Case any such single Persons as aforesaid, have been confined in Prison for five Years, or any longer Time, that the said Persons so confined, shall be discharged upon the same Terms, and in the same Manner that Persons having Families are by this Act directed to be discharged."

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And the Bill, entitled, An Act to enable the Commissioners for emitting Bills of Credit, to pay to John Duckett, William Mills, and John Peacock, the Sums of Money therein mentioned; thus indorsed: "By the Upper House of Assembly, November 10.<sup>th</sup> 1770: Read the first and second Time, by an especial Order, and will pass with the following Amendment. Leave out all that relates to the Payment of One hundred and thirty six Dollars to M.<sup>r</sup> John Duckett, and let an Allowance be made to him in the Journal, in the same Manner as Allowances have been usually made to others for similar Services

Signed by Order U Scott Cl. Up. Ho."

Which were read here with the Amendments, and ordered to lie on the Table.

John Ridout, Esq; from the Upper House, delivers to M.<sup>r</sup> Speaker, the Bill, entitled, An Act empowering Edward Tilghman, Solomon Wright, and others, to sell certain Lands devised by Colonel Vincent Lowe, formerly of Talbot County, to be sold for the Purposes by the said Devise intended; thus indorsed: "By the Upper House of Assembly, November 10.<sup>th</sup> 1770: Read the first and second Time, by an especial Order, and will pass.

Signed by Order U Scott Cl. Up. Ho."

Which was read here and passed for ingrossing  
The House adjourns till Monday Morning Eight O'Clock

Monday November 12.<sup>th</sup> 1770

Nov. 12

The House met according to Adjournment.

The honourable Brice Thomas Beale Worthington, Esq; having signified that he was unable to attend the Business of the House, M.<sup>r</sup> N. Thomas, and M.<sup>r</sup> Mackall are ordered to acquaint his Excellency that this House is without a Speaker.

John Ridout, Esq; from the Upper House, acquaints the Members of the Lower House, that the Governor requires their Attendance in the Upper House

The Members of the Lower House accordingly attended his Excellency in the Upper House, where his Excellency required them to return to their House and choose a Speaker

The Members of the Lower House accordingly returned, and unanimously made Choice of Edward Tilghman, Esq; to be their Speaker, and placed him in the Chair

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Ordered, That M.<sup>r</sup> Hollyday and M.<sup>r</sup> Grahame do acquaint the Governor, that this House hath made choice of a Speaker.

John Beale Bordley, Esq<sup>r</sup> from the Upper House, acquaints the Members of the Lower House, that the Governor requires their Attendance to present their Speaker

M.<sup>r</sup> Speaker left the Chair, and (with the Members of the Lower House) went to the Upper House, where the Members of the Lower House presented their Speaker

His Excellency approved the Choice.

The Members were called and all appeared as on Saturday.

The Proceedings of Saturday were read

M.<sup>r</sup> Allen brings in, and delivers to M.<sup>r</sup> Speaker, a Bill, entitled, An Act to remedy the Omission of the Enrollment of a Deed of Bargain and Sale from Thomas Collier to Thomas Lightfoot, William Lightfoot, Abraham Mitchell, Walter Franklin, and Samuel Franklin: Which was read the first Time, and ordered to lie on the Table

M.<sup>r</sup> Luckett brings in, and delivers to M.<sup>r</sup> Speaker, a Bill, entitled, An Act to divide All Saints Parish in Frederick County, and to erect two new Parishes, by the Names of Eden Parish and Frederick Parish: Which was read the first Time, and ordered to lie on the Table.

M.<sup>r</sup> Worthington and M.<sup>r</sup> Purnell appeared in the House

M.<sup>r</sup> Ringgold brings in and delivers to M.<sup>r</sup> Speaker the following Report

By the Committee appointed to enquire what Laws will expire this Session, and make Report thereof to the House

Your Committee beg Leave to inform the House; That the Act, entitled, An Act for the Benefit of the Poor, and the Encouragement of Industry, made at a Session of Assembly, begun and held at the City of Annapolis, the first Day of November, Anno Domini seventeen hundred and sixty five, will expire with this Session.

Signed by Order Ralph Dobinson Cl.

The ingrossed Bill, entitled, An Act empowering Edward Tilghman, Solomon Wright, and others, to sell certain Lands, &c.<sup>ta</sup> Read and assented to, and sent to the Upper House with the Paper Bill thereof, by M.<sup>r</sup> Mackall and M.<sup>r</sup> Gantt. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

M.<sup>r</sup> Johnson brings in and delivers to M.<sup>r</sup> Speaker the following Message:

By the Lower House of Assembly, November 12:<sup>th</sup> 1770  
May it please your Honours,

The Propositions which accompanied your Negative on the Inspection Bill last Session, having been made after that Bill had been some



Days before you, and requiring Alterations in principal Points, from which we were determined not to recede, we could not imagine, there was the least Probability of bringing about an Agreement at that Time, and therefore we declined protracting the Session by any Procedure from which we could expect nothing but a fruitless Expence. From like Motives we declined going into a Conference generally on the Bill now before you, in Consequence of your Message of the 8.<sup>th</sup> Instant by Daniel Dulany Esq; or to engage to confer on the Amendments you might propose, before we had them before us in one View; esteeming any Conference expedient in Proportion only to the probable Event. But having considered your last Message, which narrowed the Subject to the general Propositions contained therein, we agree that the Bill be expressed in other Terms, to give an Allowance of four per Cent. on the Payment of cropped Tobacco, if you still think any further Expressions necessary. That in Case of Payment in Money, the Clergy may receive on 32 instead of 30 per Poll, and that in Case it is not sufficiently certain, Lawyers fees be more fully expressed to be the same as in the last Inspection Act. Your other Propositions that tend to alter the Bill we do not agree to, and are of Opinion that an annual stated Income of £600 Sterling is too much for the Trouble and Risk in executing the Secretary's, Commissary's or Land Office, or in a comparative View with the private Estates within this Province, or the Numbers and general Circumstances of the Inhabitants: But even was the Sum proposed in our Opinion a fit Quantum, we should be utterly averse to fixing a Salary, and taking the fees to the Publick; not only because we should fear an entire new System might involve us in fresh Difficulties, but from an Apprehension, that any Officers who depend upon a known fixed Salary, without having an immediate Benefit from any particular Instances of their Duty, would not be so ready in undertaking, or diligent in executing them, as they would be, if they were to have a present Advantage from them. The immoderate Amount of the fees of Officers, as charged under the late Regulation, and the very many Abuses in those Charges which have fallen within our Observation, have determined us unanimously to reject that Regulation, which we never will again consent to. We have by the proposed Regulation in the Bill endeavoured to obviate the Pretences for what we esteem Abuses, making, in our Opinion, a very ample and generous Provision for Officers, and in the dependent Provisions taking that Care only which by Experience is found necessary against illegal and oppressive Charges; yet should you still think that the fees as regulated by the Bill are not sufficient, or that any other Parts of the Bill to which you have proposed Alterations need Amendments, we are willing to join with your Honours in a Conference thereon, and will appoint Conferees to meet such of your Honours as you may think proper to nominate for that Purpose.

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Signed by Order Jn<sup>o</sup> Duckett Cl. Lo. Ho.

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Which was read and approved of, and ordered to be ingrossed  
M.<sup>r</sup> Ringgold brings in, and delivers to M.<sup>r</sup> Speaker, the ingrossed  
Message: Which was read and assented to, and sent to the Upper  
House by M.<sup>r</sup> Johnson and M.<sup>r</sup> Ringgold. They return, and acquaint  
M.<sup>r</sup> Speaker they delivered the Message

William Hayward, Esq; from the Upper House, delivers to M.<sup>r</sup>  
Speaker the Petition of Henrietta Rogers, Guardian of Nicholas  
Rogers of Baltimore County, praying that a Law may pass, to enable  
her to lay out and divide the Lots of Ground lying in Baltimore  
Town in Baltimore County, belonging to her said Son, and to lease &  
demise them for such Term or Terms of Years as she shall judge  
most conducive to the Interest of her said Son; thus indorsed: "By  
the Upper House of Assembly, November 12.<sup>th</sup> 1770: Read and  
referred to the Consideration of the Lower House of Assembly

Signed by Order U Scott Cl. Up. Ho."

Ordered, That the said Petition be referred to the Consideration  
of a Committee, and that they do examine the Matter thereof, and  
report their Opinion thereupon to the House.

M.<sup>r</sup> Johnson, M.<sup>r</sup> Chase, M.<sup>r</sup> Aquila Hall, and M.<sup>r</sup> W. Paca, are  
appointed a Committee accordingly; and they have Power to send  
for Persons, Papers and Records.

Daniel Dulany, Esq; from the Upper House, delivers to M.<sup>r</sup>  
Speaker the Paper Bill N.<sup>o</sup> 2; thus indorsed: "By the Upper House  
of Assembly, November 12.<sup>th</sup> 1770: The ingrossed Bill, whereof  
this is the original, read and assented to.

Signed by Order U Scott Cl. Up. Ho."

p. 164 The Bill, entitled, An Act to remedy the Omission of the Enroll-  
ment of a Deed of Bargain and Sale from Thomas Collier to Thomas  
Lightfoot, William Lightfoot, Abraham Mitchell, Walter Franklin  
and Samuel Franklin, was read a second Time, by an especial Order,  
and will pass. Sent to the Upper House by M.<sup>r</sup> Allen and M.<sup>r</sup>  
Dashiell. They return, and acquaint M.<sup>r</sup> Speaker they delivered the  
Bill

The Bill, entitled, An Act to divide All Saints Parish in Frederick  
County, and to erect two new Parishes, by the Names of Eden Parish  
and Frederick Parish, read a second Time, by an especial Order, and  
committed for Amendment.

The House adjourns till To-Morrow Morning 8 O'Clock

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Tuesday November 13.<sup>th</sup> 1770

The House met according to Adjournment.

The Members were called and all appeared as on Yesterday.

The Proceedings were read

The ingrossed Bill, N.º 3, was read and assented to, and sent to the Upper House, with the Paper Bill thereof, by M.<sup>r</sup> Hollyday and M.<sup>r</sup> Wright. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill.

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The ingrossed Bill, N.º 4, was read and assented to, and sent to the Upper House, with the Paper Bill thereof, by M.<sup>r</sup> Aquila Hall and M.<sup>r</sup> Deye. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

The ingrossed Bill, N.º 5, was read and assented to, and sent to the Upper House, with the Paper Bill thereof, by M.<sup>r</sup> Wootton and M.<sup>r</sup> Heugh. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill.

Upon a second reading the Bill, entitled, An Act for the Relief of certain Prisoners in the several Jails therein mentioned, with the Amendment proposed by the Upper House, Ordered, That M.<sup>r</sup> Hollyday, M.<sup>r</sup> Johnson, M.<sup>r</sup> Ringgold, and M.<sup>r</sup> Allen, do prepare a Message to the Upper House, in Answer to the Subject Matter of the said Amendment. On a second reading the Bill entitled An Act to enable the Commissioners for emitting Bills of Credit to pay to John Duckett William Mills and John Peacock the sums of Money therein mentioned with the Amendment proposed by the Upper House Ordered that M.<sup>r</sup> Chase M.<sup>r</sup> Tilghman M.<sup>r</sup> Johnson M.<sup>r</sup> Allen M.<sup>r</sup> J. Hall and M.<sup>r</sup> W. Paca do prepare a Message to the Upper House on the subject Matter of the said Amendment.

M.<sup>r</sup> Luckett brings in, and delivers to M.<sup>r</sup> Speaker, the Bill, entitled, An Act to divide All Saints Parish in Frederick County, and to erect two new Parishes, by the Names of Eden Parish and Frederick Parish; Which was read with [the] Amendments for which it was [committed], and will pass. Sent to the Upper House by M.<sup>r</sup> Heugh and M.<sup>r</sup> Wootton—They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

John Ridout, Esq from the Upper House, delivers to M.<sup>r</sup> Speaker the following Message

By the Upper House of Assembly, November 13:<sup>th</sup> 1770  
Gentlemen

Our last Message contained the Propositions, which our Conferrees would have been instructed to make, had a Conference taken Place, according to any of the Precedents we have pointed out. The Election we are willing to extend to all Persons as well Plante[r]s as others, to discharge all fees and the Poll Tax in Tobacco or Money, as might occasionally best suit them, would be an effectual Reduction of fees, and contribute very much to the Ease and Convenience of the People; but we think the new Regulation you have proposed, would reduce them so low as not to leave a sufficient and proper Support for the Officers. If there have been Abuses in the Practice under

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the old Regulation, and the Provisions in the late Inspection Act are ineffectual for their Prevention, we should be willing to concur in any reasonable Method to alter, explain or enforce the Provisions; but as the new Regulation is framed, there can be no Doubt but it would be productive of a very great Reduction on Articles clearly chargeable under the old, and for this we appeal to the two Regulations, and what, at first Sight, must strike every Reader. We entirely agree with you in Opinion, that protracting the Session by a Procedure, from which nothing is to be expected but a fruitless Expence, ought always to be avoided; and therefore explicitly inform you, that we shall (except as above mentioned) adhere to our Proposition respecting the Regulation of fees

Signed by Order U Scott Cl. Up. Ho.

William Hayward, Esq from the Upper House, delivers to M.<sup>r</sup> Speaker the Paper Bills N.<sup>o</sup> 3, 4, 5; severally indorsed: "By the Upper House of Assembly, November 13:<sup>th</sup> 1770: The ingrossed Bill whereof this is the original, read and assented to.

Signed by Order U Scott Cl. Up. Ho."

William Hayward, Esq from the Upper House, delivers to M.<sup>r</sup> Speaker, A Bill, entitled, An Act to remedy the Omission of the Enrollment of a Deed of Bargain and Sale from Thomas Collier to Thomas Lightfoot, &<sup>ta</sup> thus indorsed: "By the Upper House of Assembly, November 12:<sup>th</sup> 1770: Read the first Time, and ordered to lie on the Table.

Signed by Order U Scott Cl. Up. Ho."

And thus "By the Upper House of Assembly, November 13,<sup>th</sup> 1770: Read the second Time, by an especial Order, and will pass with the following Amendment viz.<sup>t</sup> In the Eighth Line of the last Page after the Word "Province" leave out the Words "or any other Matter or Thing therein contained"

"Signed by Order U Scott Cl. Up. Ho."

Which was read with the Amendment, and past for ingrossing

M.<sup>r</sup> Dashiell brings in, and delivers to M.<sup>r</sup> Speaker, a Bill, entitled, An Act for explaining a Clause in An Act, entitled, An Act for the Encouragement of an Iron Manufacture within this Province: Which was read the first Time, and ordered to lie on the Table

M.<sup>r</sup> Wootton brings in, and delivers to M.<sup>r</sup> Speaker, a Bill, entitled, A Supplementary Act, to the Act, entitled, An Act for the Relief of the Poor within the several Counties therein mentioned: Which was read the first Time and ordered to lie on the Table

The Order for taking into Consideration the Compass Bill &<sup>ta</sup> is further referred for Consideration on the second Tuesday of next Session of Assembly



On Motion, Ordered, That M.<sup>r</sup> Johnson, M.<sup>r</sup> Ringgold, M.<sup>r</sup> Hollyday, M.<sup>r</sup> Chase, M.<sup>r</sup> Tilghman, M.<sup>r</sup> J. Hall, M.<sup>r</sup> W Paca, M.<sup>r</sup> Allen, M.<sup>r</sup> Bordley, M.<sup>r</sup> Worthington, M.<sup>r</sup> Dickinson, M.<sup>r</sup> Grahame, M.<sup>r</sup> Beall, M.<sup>r</sup> N. Thomas, M.<sup>r</sup> Harrison, and M.<sup>r</sup> Wootton, do prepare a Message to the Upper House, in Answer to their Message of this Day by John Ridout, Esq.

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William Fitzhugh, Esq; from the Upper House, delivers to M.<sup>r</sup> Speaker, the Bill, entitled, An Act to impose a further Duty on Negroes imported into this Province, and for the better Support of County Schools; thus indorsed: "By the Upper House of Assembly, November 13.<sup>th</sup> 1770: Read the first Time, and ordered to lie on the Table

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Signed by Order U Scott Cl. Up. Ho."

And thus "By the Upper House of Assembly, November 13.<sup>th</sup> 1770: Read the second Time, by an especial Order, and will not pass.

Signed by Order U Scott Cl. Up. Ho."

On Motion, The Question was put, That it be an Instruction to the Committee appointed to prepare an Answer to the Message of this Day from the Upper House, by John Ridout, Esq; to propose to that House a Conference upon the Subject Matter of that Message? Resolved in the Negative

For the Negative

Mess. <sup>rs</sup> {	Ringgold,	Tilghman,	W. Paca,	
	Chase,	Deye,	Wright,	
	Worthington,	J. Paca,	Dashiell,	
	Johnson,	Acq. Hall,	Luckett,	
	Griffith,	Beall,	Heugh,	
	Smallwood,	Tyler,	Wootton.	
	Ware,	Contee,		[22]
	Harrison,	J. Hall,		

For the Affirmative

Mess. <sup>rs</sup> {	Key,	Grahame,	Baxter,	
	W. Thomas,	Adams,	Ward,	
	Buchanan,	Dickinson,	Hollyday,	
	Bordley,	N. Thomas,	Allen,	
	Mackall,	Steele,	Purnell.	
	Gantt,	Veazy,		[17]

The House adjourns till To-Morrow Morning, 8 O'Clock

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Nov. 14

Wednesday, November 14:<sup>th</sup> 1770

The House met according to Adjournment.

The Members were called, and all appeared as on Yesterday.

The Proceedings of Yesterday were read.

The Petition of James Brown referred for Consideration on the second Wednesday in next Session.

The ingrossed Bill, N.<sup>o</sup> 6, read and assented to, and sent to the Upper House, with the Paper Bill thereof, by M.<sup>r</sup> Allen and M.<sup>r</sup> Dashiell. They return, and acquaint M.<sup>r</sup> Speaker they delivered the Bill

M.<sup>r</sup> Dickinson brings in, and delivers to M.<sup>r</sup> Speaker, a Bill, entitled, An Act for the Establishment of a Chapel of Ease in Saint Peter's Parish in Talbot County. Which was read a first and second Time, by an especial Order, and committed for Amendment.

The Petition of Robert Dick, and others read, and ordered to lie on the Table.

Daniel Dulany, Esq; from the Upper House, delivers to M.<sup>r</sup> Speaker the Paper Bill, N.<sup>o</sup> 6, thus indorsed: "By the Upper House of Assembly, November 14,<sup>th</sup> 1770: The ingrossed Bill, whereof this is the original, read and assented to.

Signed by Order U Scott Cl. Up. Ho."

The House adjourns till To-Morrow Morning, 8 O'Clock

Nov. 15

Thursday November 15:<sup>th</sup> 1770

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The House met according to Adjournment.

The Members were called, and all appeared as on Yesterday.

The Proceedings of Yesterday were read

The Bill, entitled, An Act for the Establishment of a Chapel of Ease in Saint Peter's Parish in Talbot County, read a second Time, and will pass. Sent to the Upper House by M.<sup>r</sup> N. Thomas and M.<sup>r</sup> Veazy

They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill.

The Bill, entitled, A Supplementary Act to the Act, entitled, An Act for the Relief of the Poor within the several Counties therein mentioned, read the second Time, and will pass. Sent to the Upper House by M.<sup>r</sup> Wootton and M.<sup>r</sup> Heugh. They return, and acquaint M.<sup>r</sup> Speaker they delivered the Bill

The Bill, entitled, An Act, for explaining a Clause in An Act, entitled, An Act for the Encouragement of an Iron Manufacture within this Province, read the second Time, and will pass.

Sent to the Upper House by Mr. Dashiell and Mr. Purnell. They return, and acquaint M.<sup>r</sup> Speaker they delivered the Bill

L. H. J.  
Liber No. 54  
Nov. 15

M.<sup>r</sup> Johnson brings in, and delivers to M.<sup>r</sup> Speaker the following Message.

By the Lower House of Assembly, November 15.<sup>th</sup> 1770  
May it please your Honours,

We are apprehensive, from your Message of the 13.<sup>th</sup> Instant, that there is some Misunderstanding between Us about the Subject Matter of a Conference: We have no Desire to reduce the ffees of Officers so low, as not to leave a sufficient and proper Support; and if it shall appear, that the Regulation proposed by us would be insufficient for that Purpose, we shall be willing to make such Additions as we hope will be thought sufficient and proper in the Opinion of the World. Nothing now remains to be settled but the ffees of Officers and the Provisions thereon dependent; the Mode of recovering Penalties, the Time of closing the Inspection, and the last Proposition contained in your Message of the tenth Instant by John Ridout, Esq; On these Points of our Bill we were and still are willing, and now propose to go into a Conference, as the most likely Expedient to bring about an Agreement. Your Honours, by a Bill sent from your House the thirty first of October, which lay before us at the Time of the last Prorogation, on the second Instant, to revive the late Inspection Law, and the Supplementary Act thereto, "except all such Part and Parts, as limited, or in any Manner concerned the ffees of Officers and Lawyers, and the Poll Tax due to the Clergy," proposed to separate the Regulation of the Staple from that of the ffees of Officers, and continue that Part of the late Inspection Law which provided for the Payment of the Levies. In your Message of the Tenth Instant you agreed, "That all Persons, whether they should make Tobacco or not, might elect to pay all ffees in Tobacco, or Money, in the Manner provided by the Bill"; and proposed, "that the Poll Tax might be paid in the same Manner, with the Difference only, that in Case of Payment in Money, the Clergy might receive on 32 instead of 30 per Poll"; which this House acceded to, and informed your Honours of, by our Message of the Twelfth Instant: Therefore, should your Honours again wa[i]ve a Conference on the Terms we now propose, we make you another Proposition: Strike out all those Parts of the Bill that relate to the Officers ffees, which will be agreeable to the Plan of the Bill you set us; and as Nothing of Importance will then remain in Dispute, except the Time of closing the Inspection, which the People much wish to have extended to the 20.<sup>th</sup> of August, we have the greatest Expectation, that this, and the other Matters of less Consideration, may be easily adjusted by a Conference, which we request for that Purpose; and the Bill may then pass for the Regulation of the Staple, Lawyers ffees,

L. H. J. Clergy's Allowance, and the Payment of the Publick, County, and  
 Liber No. 54 Parochial Charges. If your Honours do not incline to accept either  
 Nov. 15 of these Propositions, we have only to request, that you will send  
 down the Bill, that, after finishing the Business of the Session, we  
 may return to the Care of our domestic Affairs.

Signed by Order Jn.<sup>o</sup> Duckett Cl. Lo. Ho.

Which was read the First and Second Time, and unanimously  
 agreed to. Sent to the Upper House by M.<sup>r</sup> Johnson and M.<sup>r</sup> J. Hall.  
 They return, and acquaint M.<sup>r</sup> Speaker they delivered the Message.

The House being informed that Messieurs Daniel Chamier, Moses  
 Galloway, and John Ross, were attending at the Door, in Obedience  
 to the Order of this House of the 10.<sup>th</sup> Instant, Ordered, That they  
 be called in, and they appeared at the Bar, in the Custody of the  
 Serjeant, accordingly.

The House having heard the Allegations of Job Garretson, the  
 Complainant, and the Testimony of the Evidences produced, as also  
 the Defence made by the said Daniel Chamier, Moses Galloway and  
 John Ross, and after maturely considering the same, proceeded in the  
 following Manner :

It appearing to this House, on Enquiry into the Complaint of Job  
 Garretson, against Daniel Chamier, Sheriff of Baltimore County,  
 and Moses Galloway, and John Ross, his Deputies, for making a  
 Distress on his Goods: That the Distress was made, 1.<sup>st</sup>, without  
 any Accounts being delivered to the Party before the last of Feb-  
 ruary, according to Law. 2.<sup>dly</sup> Without his being first requested to  
 shew his Goods to be, distrained, that he might make that Election  
 which the Law gives to the Party, of suffering either his Body or  
 Goods to be taken. 3.<sup>dly</sup> That Part of the Claim was for per Diem  
 fees where the Party was not in Jail or any Victuals found. 4.<sup>thly</sup>  
 That the Claim included a private Debt, for which no Distress could  
 be legally made.

Resolved, Therefore, That the said Distress, made by the said  
 Moses Galloway and John Ross, Deputy Sheriffs, by Order of the  
 said Daniel Chamier, Sheriff, was illegal, oppressive, and made under  
 Colour of Office to force the Payment of Money for which no Dis-  
 tress would lie

M.<sup>r</sup> Beall, M.<sup>r</sup> Bordley, and M.<sup>r</sup> Ringgold, are appointed a Com-  
 mittee to assess the fees arising due on the Complaint of Job Garret-  
 son against Daniel Chamier.

John Ridout, Esq from the Upper House, delivers to M.<sup>r</sup> Speaker  
 a Remonstrance of the Magistrates of Ann Arundel County: Which  
 was read the first Time and ordered to lie on the Table

M.<sup>r</sup> Ringgold brings in, and delivers to M.<sup>r</sup> Speaker the following  
 Report



By the Committee appointed to tax the fees arising due on the Complaint of Job Garretson against Daniel Chamier, Sheriff of Baltimore County, and Moses Galloway and John Ross, his Deputies.

L. H. J.  
Liber No. 54  
Nov. 15

Your Committee, in Obedience to the Order of the House, have enquired into the fees and Expences incurred on the above Complaint, and do find the same as follows, in Common Money, Viz.<sup>t</sup>

To the Clerk for Process against the Parties, @ 3/.....	£0.. 9..0
To ditto for four Summonses at 3/.....	0..12..0
To the Serjeant for serving the Process and Summonses at 3/.....	1.. 1..0
To Cash paid for Messenger to Baltimore to serve the Process and Summonses.....	1..15..0
To James Madewell for 7 Days Attendance, and Eight Days Itinerant Charges, in coming twice to Annapolis at 5/ p Day.....	3..15..0
To Alexander Madewell the same.....	3..15..0
To Mark Alexander three Days Attendance, and four Days Itinerant Charges @ ditto.....	1..15..0
To Job Garretson the Complainant, for Seven Days Attendance, and Eight Days Itinerant Charges in coming twice to Annapolis at ditto.....	3..15..0
For three Commitments @ 4/.....	0..12..0
	<hr/>
	£17.. 9..0

All which is submitted to the Consideration of the House.

p. 169

Signed per Order Ralph Dobinson Cl.

Which was read and concurred with

William Hayward, Esq; from the Upper House, delivers to M.<sup>r</sup> Speaker, the Bill, entitled, An Act for the Establishment of a Chapel of Ease in Saint Peter's Parish, in Talbot County; thus indorsed: "By the Upper House of Assembly, November 15.<sup>th</sup> 1770: Read the first and second Time, by an especial Order, and will pass.

Signed by Order, U Scott Cl. Up. Ho."

Which was read here and passed for ingrossing

William Fitzhugh, Esq from the Upper House, delivers to M.<sup>r</sup> Speaker, the Bill, entitled, An Act for explaining a Clause, in An Act, entitled, An Act for the Encouragement of an Iron Manufacture within this Province; thus indorsed: "By the Upper House of Assembly, November 15.<sup>th</sup> 1770: Read the first and second Time, by an especial Order, and will not pass.

Signed by Order, U Scott Cl. Up. Ho."

Ordered, That the Serjeant at Arms attending this House, do take into his Custody, the Body of Michael Lowe, of Prince George's

L. H. J. County, and him have immediately at the Bar of this House, to  
 Liber No. 54 answer the Complaint of Samuel Luckett, for illegally executing his  
 Nov. 15 Body for fees, and also for a Contempt of the Authority of this  
 House.

The House adjourns till To-Morrow Morning 8 O'Clock

Nov. 16

Friday, November 16:<sup>th</sup> 1770

The House met according to Adjournment.

The Members were called, and all appeared as on Yesterday.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Hopper and M.<sup>r</sup> Eden appeared in the House

M.<sup>r</sup> Ringgold brings in, and delivers to M.<sup>r</sup> Speaker the following  
 Message.

By the Lower House of Assembly, November 16:<sup>th</sup> 1770  
 May it please your Honours,

We return you the Bill for the Relief of certain Prisoners in the  
 several Jails therein mentioned, with the Amendment proposed by  
 your Honours. Although a Clause similar to this Amendment has  
 been heretofore proposed by your House, and assented to by this,  
 in Bills for the Relief of Prisoners, Experience has shown us, that  
 it wants some Explanation, and therefore we are unwilling to agree  
 to the Amendment as it now stands. Whether a Person is of sufficient  
 Ability of Body to labour is a Question of Judgment and Discretion.  
 What shall be said to be a Family is a Matter about which Doubts  
 have arisen. We think there ought to be some Person pointed out  
 to determine these Questions where they may arise. The Sheriff  
 would be an improper Judge, as he alone would in most Cases be  
 benefited by the Sale. If your Honours intend that the Justices shall  
 be the Judges, we think it not expressed with sufficient Certainty.  
 We also think it might be more clearly expressed, that it should not  
 be compulsory upon the Persons described in the Amendment to  
 serve but that they ought to have an Election to serve or take no  
 Benefit by the Law. These Objections being removed, we shall pass  
 the Bill with the Amendment

Signed by Order Jn.<sup>o</sup> Duckett Cl. Lo. Ho.

p. 170 The ingrossed Bill, N.<sup>o</sup> 7, read and assented to, and sent to the  
 Upper House, with the Paper Bill thereof, by M.<sup>r</sup> N. Thomas and  
 M.<sup>r</sup> Ware. They return, and acquaint M.<sup>r</sup> Speaker they delivered  
 the Bill.

M.<sup>r</sup> Johnson brings in, and delivers to M.<sup>r</sup> Speaker the following  
 Report Viz.<sup>t</sup>

By the Committee appointed to examine into the Truth of the

ffacts contained in the Petition of Henrietta Rogers, Mother and natural Guardian of Nicholas Rogers, an Infant, November 16,<sup>th</sup> 1770 Your Committee beg Leave to report to your honourable House, that it appears to your Committee, by an attested Copy of the last Will and Testament of Nicholas Rogers late of Baltimore Town, deceased, that the same Nicholas Rogers devised the two Lots of Ground mentioned in the said Petition to the aforesaid Nicholas Rogers, the Son, in Fee: That the said Nicholas, the Devisee, is an Infant, now about seventeen Years of Age: That the said Lots are very little improved, and in their present State yield but small Profit, and though your Committee do not know how much annual Ground Rent the said Lots might be lett for, yet, from the very high Ground Rent at which the small Parcels of Ground, in Baltimore Town, are demised at, on long Leases renewable forever, your Committee are of Opinion, that the granting the Prayer of the said Petition will be much to the Interest of the Infant. All which is humbly submitted to the Consideration of your honourable House

L. H. J.  
Liber No. 54  
Nov. 16

Signed per Order Ralph Dobinson, Cl.

Which was read and concurred with

The Petition of Henrietta Rogers read a second Time and granted

Leave given to the Petitioner to bring in a Bill according to the Prayer of the Petition

M.<sup>r</sup> Johnson delivers to M.<sup>r</sup> Speaker, a Bill, entitled, An Act to empower Henrietta Rogers, Mother and natural Guardian of Nicholas Rogers, an Infant, to demise Part of the real Estate devised to him by Nicholas Rogers, his Father, late of Baltimore Town, deceased, and for other Purposes therein mentioned

The Bill for the Relief of certain Prisoners in the several Jails therein mentioned, and the Message brought in this Day by M.<sup>r</sup> Ringgold, were sent to the Upper House by M.<sup>r</sup> Dashiell and M.<sup>r</sup> Tyler They return, and acquaint M.<sup>r</sup> Speaker they delivered the Bill and Message.

Ordered, That Samuel Luckett do pay unto Henry Barkley the Sum of four Pounds five Shillings Current Money, in Dollars at seven Shillings and six Pence each, for Nine Days Attendance as an Evidence in Support of the Complaint of Samuel Luckett against John Addison, Sheriff of Prince George's County, and for Eight Days Itinerant Charges under two different Summonses

M.<sup>r</sup> Tilghman brings in, and delivers to M.<sup>r</sup> Speaker an Address to his Excellency, which was read and ordered to lie on the Table

Daniel Dulany, Esq from the Upper House, delivers to M.<sup>r</sup> Speaker the Bill, entitled, A Supplementary Act to the Act, entitled, An Act for the Relief of the Poor within the several Counties therein mentioned; thus indorsed: "By the Upper House of Assembly,

L. H. J. November 16:<sup>th</sup> 1770: Read the first and second Time, by an  
 Liber No. 54 especial Order, in this House, and will pass  
 Nov. 16

Signed by Order U Scott Cl. Up. Ho."

Which was read here and passed for ingrossing

p. 171 John Beale Bordley, Esq; from the Upper House, delivers to M.<sup>r</sup>  
 Speaker the following Message

By the Upper House of Assembly, November 16:<sup>th</sup> 1770  
 Gentlemen

Being desirous of removing, as far as we can, all Misunderstand-  
 ing, . . . [*The message beginning thus is printed in full in the*  
*Upper House of Assembly pp. 360-361*]

Which was read and ordered to lie on the Table

The Address to his Excellency was read a second Time and or-  
 dered to be ingrossed

M.<sup>r</sup> Gantt hath Leave of Absence

The House proceeded to tax the following private Bills, Viz.<sup>t</sup>

An Act directing the Sale of the Lands of Richard Heard, late of  
 Saint Mary's County, deceased, for the Payment of the Debts of the  
 said Richard Heard

To the Honourable Speaker . . . . . £1.. 0..0

To the Clerk . . . . . 0..10..0

An Act to invest John Clayton with an exclusive Privilege and  
 Benefit of making and selling a Machine for threshing of Wheat  
 on a Model by him invented

To the Honourable Speaker . . . . . £2..0..0

To the Clerk . . . . . 1..0..0

p. 172 An Act to give Thomas Harrison further Time to effect the  
 Removal of a Nuisance in Baltimore Town, in Baltimore County

To the Honourable Speaker . . . . . £4..0..0

To the Clerk . . . . . 2..0..0

An Act to remedy a Defect in the Title of Bartholomew Pomeroy  
 of London, Merchant, to a Tract or Parcel of Land, called Rencher's  
 Adventure, lying in Prince George's County

To the Honourable Speaker . . . . . £8..0..0

To the Clerk . . . . . 4..0..0

An Act to remedy a Defect in the Acknowledgment of a Convey-  
 ance from Josiah Conant to William Thornton.

To the Honourable Speaker . . . . . £10..0..0

To the Clerk . . . . . 5..0..0

An Act to invest Isaac Perkins with an exclusive Privilege of  
 making and selling a Machine for threshing of Wheat, on a Model  
 by him invented

To the Honourable Speaker . . . . . £2..0..0

To the Clerk . . . . . 1..0..0



An Act directing the Sale of Part of the Lands of Henry Baker, late of Cecil County, deceased, for the Payment of the Debts of the said Henry Baker

L. H. J.  
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To the Honourable Speaker..... £1.. 0..0

To the Clerk..... 0..10..0

An Act for the Relief of Nehemiah Tilghman and Solomon Townsend, and to confirm the Contract made between the said Nehemiah Tilghman and a certain Major Townsend

To the Honourable Speaker..... £1.. 0..0

To the Clerk..... 0..10..0

An Act empowering Edward Tilghman, Solomon Wright, and others, to sell certain Lands devised by Col.<sup>o</sup> Vincent Lowe, formerly of Talbot County, to be sold for the Purposes by the said Devise intended.

To the Honourable Speaker..... £4..0..0

To the Clerk..... 2..0..0

An Act to remedy the Omission of the Enrollment of a Deed of Bargain and Sale from Thomas Collier to Thomas Lightfoot, William Lightfoot, Abraham Mitchell, Walter Franklin and Samuel Franklin.

To the Honourable Speaker..... £4..0..0

To the Clerk..... 2..0..0

M.<sup>r</sup> Chase brings in, and delivers to M.<sup>r</sup> Speaker the following Message

By the Lower House of Assembly, November 16:<sup>th</sup> 1770  
May it please your Honours,

We return the Bill for the Payment of John Duckett and others, whereon to indorse your Assent or Negative, according to the established Mode of Parliamentary Proceeding; this House will ever claim, as their inherent, undoubted and fundamental Right, the sole and exclusive fformation of all Money Bills, as well for the Application and Disposition, as for the granting and raising of all publick Money; a Right so essential to the Liberties and Properties of those we represent, that we are determined never to give it up, or wa[i]ve or weaken it in any Manner; and we must observe, that your Proposal to make M.<sup>r</sup> Duckett an Allowance in our Journal of Accounts, is an Infringement of that Right. M.<sup>r</sup> Duckett's Claim arises from a Contract made with the Lower House, in November Session, 1766, for transcribing a Record Book in the Land Office, which contains Grants and Certificates of some of the most ancient and valuable Lands in this Province; and which, from the peculiar and uncommon Damage it then appeared to have sustained, it was deemed necessary to have immediately copied; and M.<sup>r</sup> Duckett, in Expectation of an immediate Payment, undertook the Work for 4.<sup>d</sup> per Side, to be paid in Dollars at 7/6; which, had it been done in the Land Office, at 9fb

L. H. J. Tobacco per Side, the then established Allowance for recording  
 Liber No. 54 would have cost more than treble his Charge. We must also remind  
 Nov. 16 your Honours, that in Consequence of the same Contract with M.<sup>r</sup>  
 p. 173 Duckett, he was paid a Sum of Money for transcribing the Journal  
 of this House from 1692 to 1715, by an Ordinance of both Houses,  
 in May Session 1768, in which a Sum of Money granted to the late  
 Governor was included. These Considerations will, we doubt not,  
 evince to your Honours the Justice of M.<sup>r</sup> Duckett's Claim to an  
 immediate Payment, and be sufficient to prevail on you to pass  
 the Bill

We beg Permission also to remind your Honours, that our Journal  
 of Accounts, sent up for your Assent only, early in the last Session,  
 was not returned to us, when, by your Advice, as his Lordship's  
 Council of State, the late Prorogation happened, and by that Means  
 we have been deprived, this Session, of an Opportunity of making  
 such Additions thereto, and of adjusting the publick Claims in such  
 Manner as we should esteem just and proper.

Signed by Order. Jn.<sup>o</sup> Duckett Cl. Lo. Ho.

Which was read and ordered to lie on the Table

M.<sup>r</sup> W. Paca brings in, and delivers to M.<sup>r</sup> Speaker the following  
 ingrossed Address

To his Excellency Robert Eden, Esq; Governor and Commander in  
 Chief in and over the Province of Maryland

The humble Address of the House of Delegates

May it please your Excellency

We find, by Reports of the Committee appointed to inspect into  
 the State of the several publick Offices, in every Session since the  
 Year Seventeen hundred and sixty six, down to the last, Copies of  
 which we herewith present to your Excellency, that there are many  
 Errors, and Omissions in the Commissary's and Land Office, and a  
 Neglect in not making up the Records of Judgments for several years,  
 in the Secretary's Office, and some of the Alphabets and Record Books  
 much out of Repair, both in the Commissary's and Land Office; and  
 that there are two Bundles of Wills and Inventories, exhibited in  
 seventeen hundred and fifty nine, and seventeen hundred and sixty,  
 in the Commissary's Office not yet recorded. The evil Consequence  
 of Negligence or Remissness in the Execution of publick Offices, the  
 Records of which are almost the only Evidence of Property in this  
 Province, are but too obvious. We therefore hope your Excellency  
 will use your utmost Influence, to have the Errors, Omissions and  
 Damages which have happened, rectified, supplied and repaired, as  
 far as can be; and also, that there be a more exact Discharge of Duty  
 by Gentlemen who enjoy such publick Offices.

The Law directs Bonds to be given, in large Penalties, by those

Officers for the Discharge of their several Duties, which we might order to be put in Suit for these failures, except in the Instance where the two Bundles of Wills and Inventories, are not recorded, an improper Bond having been given by Daniel Dulany, Esq; the then Commissary General, which makes an Application to your Excellency in this Case more especially necessary; and we shall be glad that this Method of Proceeding may have the desired Effect

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Which was read and assented to, and signed by Order of the House by the honourable Speaker

Ordered, That M.<sup>r</sup> Dickinson and M.<sup>r</sup> N. Thomas do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desire to know when and where he will be pleased to receive it. They return, and acquaint M.<sup>r</sup> Speaker, that the Governor was pleased to signify he would receive the Address in three Quarters of an Hour, in the Conference Chamber

Ordered That M.<sup>r</sup> W Paca and M.<sup>r</sup> Tilghman do present the Address to his Excellency They return, and acquaint M.<sup>r</sup> Speaker they delivered the Address

The ingrossed Bill, N.<sup>o</sup> 8, read and assented to, and sent to the Upper House, with the Paper Bill thereof, by M.<sup>r</sup> Wootton and M.<sup>r</sup> Heugh.

They return, and acquaint M.<sup>r</sup> Speaker they delivered the Bill

George Steuart, Esq; from the Upper House, delivers to M.<sup>r</sup> Speaker, the Bill for the Relief of certain Prisoners, &<sup>ta</sup> with the following Message

By the Upper House of Assembly, 16.<sup>th</sup> of November 1770.

Gentlemen,

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In Consequence of your Message of this Day by Mess.<sup>rs</sup> Dashiell and Tyler, we have inserted such Words in the Clause by this House proposed to be added to the Act for the Relief of sundry Prisoners, as we apprehend will obviate any Doubts which might otherwise have arisen, as suggested in your Message.

Signed by Order U Scott Cl. Up. Ho.

Which was read with the Amendment, and the Bill passed for ingrossing

William Hayward, Esq; from the Upper House, delivers to M.<sup>r</sup> Speaker the Paper Bill, N.<sup>o</sup> 7, thus indorsed: "By the Upper House of Assembly, November 16.<sup>th</sup> 1770: The ingrossed Bill whereof this is the original, read and assented to.

Signed by Order U Scott Cl. Up. Ho"

Resolved, That there be a Message prepared to the Upper House, in Answer to their Message of this Day by John Beale Bordley, Esq.

The Question was put, whether, in the Message to be prepared in

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Answer to the Message of this Day from the Upper House, by John Beale Bordley, Esq; the following Questions, among other Matters, be inserted in such Message? "Do your Honours esteem the several Charges of fees by the Commissary General, upon Administrations granted by his Deputies, and for which they are paid, an Abuse of the old Regulation? Do your Honours esteem the Charge for recording Papers by the Secretary and County Clerks, in Actions discontinued, abated, struck off, or agreed, when they are not or need not be recorded, an Abuse? Do your Honours esteem the Charge of 300lb of Tobacco, by Surveys, for laying down adjacent Tracts, merely to find out and correct the Errors of an original Survey, an Abuse? Do your Honours esteem the Charge of 300lb of Tobacco as a Resurvey, by a Surveyor for surveying or laying down a Tract or Tracts of Land, on a Warrant of Survey from the Provincial Court, an Abuse? And also the like Charge of 300lb of Tobacco, for any Tract laid down only for Illustration, an Abuse? Do your Honours esteem the Charge by the Examiner General, on every Plot laid down for Illustration, and on every separte Piece of Vacancy added, as on separate or distinct Tracts, an Abuse? Do your Honours esteem a Charge for a Service never performed, an Abuse?" Resolved in the Affirmative

For the Affirmative

Mess. <sup>rs</sup>	Ringgold,	Tilghman,	W. Paca,
	Chase,	Deye,	Wright,
	Worthington,	J. Paca,	Dashiell,
	Johnson,	Aq. Hall,	Lockett,
	Griffith,	Beall,	Heugh,
	Smallwood,	Tyler,	Wootton.
	Ware,	Contee,	
	Harrison,	J. Hall,	

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For the Negative

Mess. <sup>rs</sup>	Key,	Grahame,	Ward,
	W. Thomas,	Adams,	Hollyday,
	Eden,	Dickinson,	Hopper,
	Buchanan,	N. Thomas,	Allen,
	Bordley,	Steele,	Purnell.
	Mackall,	Veazy,	
	Gantt,	Baxter,	

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Ordered, That M.<sup>r</sup> Johnson, M.<sup>r</sup> Chase, M.<sup>r</sup> Tilghman, M.<sup>r</sup> J. Hall, M.<sup>r</sup> W. Paca and M.<sup>r</sup> Ringgold, do prepare and bring in a Message, in Answer to the Message of the Upper House of this Day, by John Beale Bordley, Esq:

The House adjourns till To-Morrow Morning 8 O'Clock



Saturday November 17,<sup>th</sup> 1770.

L. H. J.  
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Nov. 17

The House met according to Adjournment.

The Members were called, and all appeared as on Yesterday, except M.<sup>r</sup> Gantt.

The Proceedings of Yesterday were read.

M.<sup>r</sup> Gilpin appeared in the House

The Governor communicates to M.<sup>r</sup> Speaker the following Message, Viz.<sup>t</sup>

Annapolis, November 17:<sup>th</sup> 1770

Gentlemen,

I observe by the Reports, which accompanied your Address of Yesterday, that some of the Errors and Omissions therein complained of, are of a very old Date, and, I fear, not now to be remedied; but I shall communicate the Reports of your Committee, and your Address, to the Gentlemen, who at present have Custody of the Records and Papers you mention, and will recommend it to them, to make any further Application to me, on such a Subject, unnecessary. p. 175

Rob:<sup>t</sup> Eden

The Message brought in Yesterday by M.<sup>r</sup> Chase was read a second Time, and ordered to be ingrossed. M.<sup>r</sup> Chase brings in, and delivers to M.<sup>r</sup> Speaker the said Message, ingrossed: Which was read and assented to, and sent to the Upper House, with the Bill, entitled, An Act for the Payment of John Duckett and others, by M.<sup>r</sup> W. Paca, and M.<sup>r</sup> J. Hall. They return, and acquaint M.<sup>r</sup> Speaker, they delivered the Bill and Message.

M.<sup>r</sup> Johnson brings in, and delivers to M.<sup>r</sup> Speaker the following Message Viz.<sup>t</sup>

By the Lower House of Assembly, November 17,<sup>th</sup> 1770.

May it please your Honours,

From recapitulating in your Messages particular Parts of your Conduct in our Intercourse on the Inspection Bills, in the last and present Session, you seem desirous of doing something more than removing, as far as you can, all Misunderstanding, or to shew the proper State to which the Matter has been brought: Your Honours will therefore permit us to place, in One View, our Conduct on the Subject, as well as some Part of yours, which you may inadvertently have omitted. After an Enquiry into the amount of fees, in the principal Offices, as well as into their State and Condition, and being satisfied of the Exorbitancy of the Profits, and the negligent and careless Manner in which those Offices have been executed; we compared many Accounts in which the fees of Office were charged, with the old Regulation, which ought to have governed therein; and finding that many Articles had become Common Place Charges, in Instances where no Service at all was done; that others were doubly

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charged; and observing that generally, where combined Interest and Ingenuity could invent a colourable Pretext, for a new Charge, it had been adopted by fellow Officers, we thought it highly necessary, in the now altered Circumstances of the Province, not only to recur to the Principle of 12/6 per Cent. on which the Inspection Law was first enacted in 1747, but also to make a clear and precise Table of fees for Officers, that none might hope, from a Doubtfulness of Expression, to evade the plain Intention of the Law. The dependent Provisions we also amended by Additions to the Oath as well as Penalties against charging fees not allowed, in some few of the very unreasonable Allowances we moderated the Quantum, and, for the Convenience of the Tobacco Makers, we extended the Time for closing the Inspection to the 20:<sup>th</sup> of August—On this Bill your Honours the last Session endorsed your Negative, which came to Us with your Message, proposing principally, “That the Duties and fees of the Officers and Lawyers and the Dues of the Clergy, do stand as they were limited and regulated by the said Act, with this Difference, that all, who shall chuse to pay for Services immediately on Performance may be at Liberty to discharge the fees in Money, after the same Rate that Persons who lodged Certificates under the said Act were admitted to discharge them.”

“That the farmers and others not making Tobacco, and who shall lodge Certificates, as directed by the said Act, be allowed to pay off the fees of the Officers and Lawyers, and the Dues of the Clergy, in the Manner by the said Act provided. That Persons making Tobacco, be admitted to discharge the fees of Officers and Lawyers, and Dues of the Clergy, after the Rate of twelve Shillings lawful Current Money of America for One hundred Pounds of Tobacco, so that such Payment in Money be made on or before the tenth Day of April Yearly”: By which your Honours were for departing from the Principle of the Regulation of 1747, in rejecting the Alternative to the People. The Officers would, in many Instances, have been Gainers from those who might have small Accounts to pay, and who would rather have paid at 12/. legal Money, than have been at the Trouble of going a considerable Distance to make Oath and obtain a Certificate of their not making Tobacco, to entitle them to pay at 12/6 Common Money; and the seeming Benefit to the Tobacco Maker, from an immediate Payment in Money, would have been no Advantage to him in common Occurrences, because in Court Proceedings generally he could not know what to tender, or the Officer what to receive, at the Time the Business was done; and it must seem probable to your Honours that as it would be incumbent on the Planter to tender enough, it would be the Officers Intention to receive enough. As this House did not conceive any of these Propositions were made merely to reflect merit on yourselves, in giving them up on a Conference, they were scarce sooner read than

unanimously rejected in this House. To prevent the Inconvenience which must necessarily follow an unexpected fall of a Regulation of our Staple which had long been in Use, we soon afterwards sent a Bill to your Honours to close the Accounts and Transactions of the Inspectors, and provide for the Payment of the County Levies and Parochial Charges, which have been intimately connected with the Inspection Act: And still further to lessen the Burthen on the People of Tobacco Payments, we sent you another Bill, to give an Alternative in the Payment of Lawyers fees, which stood in Tobacco on a legal Establishment, but you defeated our Intentions, by proposing an Amendment, by which all those Parts of the Bill which provided for the Payment of the County Levies and Parochial Charges would have been left out, and by proposing a Regulation on Lawyers, which your House was never fond of, but to destroy those of the Profession who have concurred with others in opposing the Encroachment of Power—Your Honours then sent us down a Bill to continue the Inspection Law and the Supplementary Act thereto, except the Parts therein excepted; which would have continued the Regulation of the Staple separate from that of the fees of Officers, and would also have continued the Mode of paying the Levy; but for some Reason or other there speedily followed, by your Advice as a Council of State, an abrupt Prorogation, which put an End to that Bill—With very few and small Alterations we again, as soon as could be, sent you the Inspection Bill, which still lies before you, and has been the Occasion of many Messages, which we are apprehensive have not, even yet, fully removed all Misunderstanding between us.

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We do not clearly comprehend what your Honours call Abuses, and, by your Language in the two last Messages, are of Opinion you are unacquainted with what we call Abuses. We now therefore request your Honours will be pleased to inform us, Whether you esteem the fees charged by the Commissary General, for Services done by the Deputies, and for which they are paid, which have been estimated at the annual Amount of above 60,000 Pounds of Tobacco, an Abuse of the old Regulation, or not? Whether your Honours esteem the Charge for recording Papers by the Secretary and County Clerks in Actions discontinued, abated, struck off, or agreed, when they are not nor need be recorded, an abuse or not? Whether your Honours esteem the Charge of 300<sup>lb</sup> of Tob.<sup>o</sup> by Surveyors for laying down adjacent Tracts merely to correct the Errors of an orig<sup>l</sup> Survey an Abuse or not? Whether your Honours esteem the Charge of 300 Pounds of Tobacco as for a Resurvey by a Surveyor, for surveying or laying down each Tract of Land, on a Warrant of Survey from the Provincial Court an Abuse, or not? and whether the like Charge of 300 Pounds of Tobacco, for any Tract laid down only for Illustration, is an Abuse or not? Whether your Honours esteem the Charge

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by the Examiner General on every Platt laid down for Illustration and on every Piece of Vacancy added as on separate and distinct Tracts, an Abuse or not? Whether your Honours esteem the additional Charge of Order in the Commissary's Office to almost every Act done therein, and which hath been estimated at the annual Amount of above 40,000 Pounds of Tobacco, when the Table makes the Allowance only, "for Orders in Testamentary Causes," an Abuse or not? Whether your Honours esteem a Charge for Services never performed, an Abuse, or not? All these Charges we are most clear in Opinion are Abuses and such as we are determined never to permit: To prevent, therefore, any Disappointment, we request your Honours will let us know explicitly your Sense of these particulars—If you are of Opinion these are real Abuses, and a Correction appears to you to be expedient, we shall, on our being informed thereof, expect a happy Issue from the Conference which we proposed, and which on these Terms we are ready to enter into. We shall certainly instruct our Conferrees, that these Charges are Abuses, and must in all Events be provided against; and unless your Honours agree with us herein, as no good Effects can be expected from a Conference, we have only to repeat our Request, that you will be pleased to let us know, whether you are willing to pass the Bill as a Regulation of the Staple, Lawyers fees, Clergy's Allowance, and the Payment of the Publick, County, and Parochial Charges, leaving Officers fees to be provided for at a subsequent Session.

Signed by Order Jn.<sup>o</sup> Duckett Cl. Lo. Ho.

Which was read the first and second Time, and the Question was put that the House agree to the same? Resolved in the Affirmative

For the Affirmative

Mess. <sup>rs</sup>	{	Ringgold,	Tilghman,	J. Hall,
		Chase,	Deye,	W. Paca,
		Worthington,	J. Paca,	Wright,
		Johnson,	Aq. Hall,	Dashiell,
		Griffith,	Gilpin,	Luckett,
		Smallwood,	Beall,	Heugh,
		Ware,	Tyler,	Wootton.
		Harrison,	Contee,	

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For the Negative

Mess. <sup>rs</sup>	{	Key,	Grahame,	Baxter,
		W. Thomas,	Adams,	Ward,
		Eden,	Dickinson,	Hollyday,
		Buchanan,	N. Thomas,	Hopper,
		Bordley,	Steele,	Allen,
		Mackall,	Veazy,	Purnell.

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Ordered, That the said Message be ingrossed  
The House adjourns till Monday Morning 8 O'Clock

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Monday, November 19:<sup>th</sup> 1770

Nov. 19

The House met according to Adjournment.

The Members were called, and all appeared as on Saturday.

The Proceedings of Saturday were read

The Message which was ordered to be ingrossed on Saturday Evening, was read and assented to, and sent to the Upper House by M.<sup>r</sup> Johnson and M.<sup>r</sup> J. Hall. They return, and acquaint M.<sup>r</sup> Speaker they delivered the Message.

The Bill, entitled, A Supplementary Act to the Act, entitled, An Act to prevent disabled and superanuated Slaves being set free or the Manumission of Slaves by any last Will or Testament, sent to the Upper House by M.<sup>r</sup> Allen and M.<sup>r</sup> Bordley. They return, and acquaint M.<sup>r</sup> Speaker they delivered the Bill

The Bill, entitled, An Act relating to Replevins, was read a second Time, and will not pass. Sent to the Upper House by M.<sup>r</sup> Ringgold and M.<sup>r</sup> Tilghman. They return, and acquaint M.<sup>r</sup> Speaker they delivered the Bill

The Remonstrance of the Justices of Ann Arundel County read a second Time, and referred for Consideration till next Session

The ingrossed Bill, N.<sup>o</sup> 9, read and assented to, and sent to the Upper House, with the Paper Bill thereof, by M.<sup>r</sup> N. Thomas and M.<sup>r</sup> Purnell. They return, and acquaint M.<sup>r</sup> Speaker they delivered the Bill

The Petition of Robert Dick, and others, read a second Time, and referred till the second Thursday of next Session.

The Petition of William Reynolds was read and rejected.

On Motion, Leave given to bring in a Bill for the Adjournment and Continuance of Ann Arundel and Frederick County Courts

Ordered, That M.<sup>r</sup> Mackall and M.<sup>r</sup> Chase do prepare and bring in the same

M.<sup>r</sup> Mackall brings in and delivers to M.<sup>r</sup> Speaker a Bill, entitled An Act for the Adjournment and Continuance of Ann Arundel and Frederick County Courts: Which was read the first and second Time, by an especial Order, and will pass. Sent to the Upper House by M.<sup>r</sup> Griffith and M.<sup>r</sup> Wootton. They return and acquaint M.<sup>r</sup> Speaker they delivered the Bill

William Fitzhugh, Esq from the Upper House, delivers to M.<sup>r</sup> Speaker, the Bill, entitled, An Act for the Adjournment and Continuance of Ann Arundel and Frederick County Courts; thus in-

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Nov. 19

dorsed: "By the Upper House of Assembly, November 19,<sup>th</sup> 1770  
Read the first and second Time, by an especial Order, and will  
not pass

Signed by Order U Scott Cl. Up. Ho."

M.<sup>r</sup> Beall brings in, and delivers to M.<sup>r</sup> Speaker, the following  
Report

By the Committee of Grievances and Courts of Justice, November 19:<sup>th</sup> 1770

p. 178 Your Committee beg Leave to report, that it appears to them, from the Copies of the Records of Queen Anne's County Court, hereto annexed, that Doctor Joseph Haslett in November Term 1769, did agree to receive the Poor of that County under his Care, and provide for them sufficient Meat, Drink, Cloaths, Washing, Bedding, Houserroom, Medicines, Attendance, and every other Necessary of Life, for one Year from thence, for the Quantity of One hundred and thirty thousand Pounds of Tobacco; and also to receive all such Persons, under his Care, and the like Provision, as the Justices of that County should, within the Year aforesaid, from Time to Time, order and send him, as proper Objects to be taken Care of by the County; and that all such Allowances, as should be made to Pensioners themselves, not put under his Care, should and might be deducted from the said Quantity of One hundred and thirty thousand Pounds of Tobacco. Whereupon the Justices of the said County did agree to levy, for the said Joseph Haslett, fifty thousand Pounds of Tobacco, and the Residue that should be due to him, to be levied when the said Justices should be fully satisfied, that he had performed and complied with his Agreement aforesaid; and the said Justices did appoint Mess.<sup>rs</sup> Christopher Cross Ruth, Turbutt Wright, Richard Mason and Joshua Clarke, Gentlemen, four of their Brethren, from Time to Time, to examine and see, that the Pensioners aforesaid were supplied with the Necessaries aforesaid, agreeable to the Intent of that Agreement; and that the Justices aforesaid, in Pursuance of the said Agreement, did assess and levy, on the taxable Inhabitants of the said County, the said fifty thousand Pounds of Tobacco, and have ordered the same to be paid by the Sheriff to the Administratrix of the said Joseph Haslett. Which Agreement, so made and entered into by the Justices of Queen Anne's County Court as aforesaid, your Committee are of Opinion, is a new and unwarranted Method, of providing for the Poor, who cannot, as your Committee conceive, by any other Authority than that of the Legislature, be drawn and collected, especially without their own Consent, to one Place or common Receptacle, and the said levying and assessing the said fifty thousand Pounds of Tobacco, in Pursuance of the said Agreement, your Committee are of Opinion was illegal. All which is humbly submitted to the Consideration of your honourable House.

Signed by Order Tho. B. Hodgkin, Cl.

November Term 1769

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Memorandum. Doctor Joseph Haslett doth agree to receive the Poor of this County under his Care, and provide for them sufficient Wheat, Drink, Cloaths, Washing, Bedding, House-room, Medicines, Attendance, and every other Necessary of Life, for one Year from this, for the Quantity of One hundred and thirty thousand Pounds of Tobacco; and also to receive all such Persons under his Care, and the like Provision, as the Justices of this County shall, within the Year aforesaid, from Time to Time order and send to him, as proper Objects to be taken Care of by the County; and that all such Allowances as shall be made to Pensioners themselves, not put under his Care, shall and may be deducted from the s.<sup>d</sup> Quantity of 130,000 Pounds of Tobacco. Whereupon the Justices of this County do agree to levy for the said Joseph Haslett 50,000 Pounds of Tobacco, and the Residue that shall be due to him to be levied when the said Justices shall be fully satisfied that he hath performed and complied with his Agreement aforesaid; and the said Justices do appoint Mess.<sup>rs</sup> Christopher Cross Ruth, Turbutt Wright, Richard Mason, and Joshua Clarke, Gent. four of their Brethren, from Time to Time to examine and see that the Pensioners aforesaid are supplied with the Necessaries aforesaid, agreeable to the Intent of this Agreement.

The following Allowances to be deducted from the general Allowance

John Irvin .....	1,600
Robert Philips .....	800
Jacob fford .....	1,000
John Moore .....	1,000
Unity Lally .....	1,200
Ann Beall .....	1,800
Thomas Downey .....	600
Anne Reynolds .....	1,500
Anne Greenwood .....	1,200
William Whitbey .....	1,200
Miles Green .....	2,500
James Tucker Blades.....	1,500
<hr/>	
In all .....	15,900
<hr/>	

True Copy R.<sup>d</sup> Tilghman Cl.

June Court 1770

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The Court order the Sheriff of Queen Anne's County to pay unto the Administratrix of D.<sup>r</sup> Joseph Haslett, deceased, the Quantity of fifty thousand Pounds of Tobacco, in Pursuance of their Contract with the said Joseph Haslett in his Life Time, made for maintaining

L. H. J. and providing Necessaries for the Poor of this County; which  
 Liber No. 54 Tobacco was levied at November Court last. True Copy.  
 Nov. 19

Test R.<sup>d</sup> Tilghman Cl.

Which was read and concurred with, and referred for Consideration on the third Tuesday in next Session.

The Consideration of the Paper, recommended to the General Assembly, from the Magistrates of Charles County is referred till the second Friday in next Session of Assembly.

John Ridout, Esq; from the Upper House, delivers to M.<sup>r</sup> Speaker, the Bill, entitled, An Act for dividing All Saints Parish in Frederick County, and to erect two new Parishes, by the Names of Eden Parish and Frederick Parish; thus indorsed: "By the Upper House of Assembly, November 13.<sup>th</sup> 1770 Read the first Time and ordered to lie on the Table

Signed by Order U Scott Cl. Up. Ho."

And thus: "By the Upper House of Assembly, November 19.<sup>th</sup> 1770: Read the second Time, and will pass with the following Amendments: Leave out from the Word "therein," in the fourth Line of the first Page, to the Word, "Parish," inclusive in the Eighth Line of the same Page. Leave out from the Word, "Parishes" in the third Line from the Bottom of the first Page to word "Parish" in the seventh Line from the Bottom of the third Page. Leave out from the Word "Districts," in the third Line from the Bottom of the third Page, all that follows in that Page. Leave out from the Word "Cases," in the third Line of the fifth Page, to the End of the Bill

Signed by Order U Scott Cl. Up. Ho."

M.<sup>r</sup> Johnson brings in, and delivers to M.<sup>r</sup> Speaker, a Bill, entitled, An Act to enable Nicholas Rogers, an Infant, to demise the real Estate therein mentioned: Which was read the first and second Time, by an especial Order, and will pass. Sent to the Upper House by M.<sup>r</sup> Deye and M.<sup>r</sup> Aquila Hall. They return, and acquaint M.<sup>r</sup> Speaker, they delivered the Bill

The House adjourns till To Morrow Morning 8 O'Clock

Nov. 20

Tuesday November 20.<sup>th</sup> 1770

The House met according to Adjournment.

The Members were called, and all appeared as on Yesterday.

The Proceedings of Yesterday were read.

William Hayward, Esq; from the Upper House, delivers to M.<sup>r</sup> Speaker, the Bill, entitled, An Act to enable the Commissioners for emitting Bills of Credit to pay to John Duckett, William Mills, and John Peacock, the Sums of Money therein mentioned; and the following Message.



By the Upper House of Assembly, November 20:<sup>th</sup> 1770.

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Gentlemen,

The many Instances in which this House have from Time to Time exercised their Right to amend Bills . . . [*The message beginning thus is printed in full in the Upper House Journal, pp. 364-365*].

Which was read the first Time; and the Amendment proposed to the Bill was read, and unanimously rejected. p. 180

M.<sup>r</sup> J. Paca brings in, and delivers to M.<sup>r</sup> Speaker, a Bill, entitled, A Supplementary Act to the Act, entitled, An Act, to prevent the Exportation of flour, Staves and Shingles, not merchantable, from the Town of Baltimore, in Baltimore County, and to regulate the Weight of Hay, and Measure of Grain, Salt, flax-Seed, and fire-Wood within the said Town—

Which was read and ordered to lie on the Table.

M.<sup>r</sup> Beall brings in, and delivers to M.<sup>r</sup> Speaker the following Report:

By the Committee of Grievances and Courts of Justice, November 20.<sup>th</sup> 1770.

Your Committee, upon the Complaint of several Persons of Prince George's and Charles Counties, of excessive Charges of the Deputy Surveyors of those Counties, for Resurveys made by Virtue of Warrants from the Land Office, have examined the Accounts of John Frederick Augustus Priggs, Deputy Surveyor of Prince George's County, against John Lowe, Sen.<sup>r</sup>, John Hamilton, James Edmonston, and Benjamin Belt, jun.<sup>r</sup> and the Accounts of Theophilus Hanson, late Deputy Surveyor of Charles County, against Henry Hardy jun.<sup>r</sup> William Hayes, and John Smith, among which we beg Leave to lay before the honourable House the Account against John Lowe, Sen.<sup>r</sup> aforesaid, by which it appears, that said Priggs, for resurveying two small Tracts of Land, and adding 182½ Acres of contiguous Vacancy, amounting in the whole, to 408½ Acres, hath made an Excess of Charge to the Amount of above 1600 lbs of Tobacco; which excess your Committee find principally arises on the Surveyor's charging not only for the Tracts they are directed by Warrant to resurvey, but also for resurveying and laying down, by Way of Illustration, all the Tracts adjacent, and by charging for every Piece of Vacancy added, as if they were so many distinct Tracts; and in most Instances, your Committee, from their Observations of the Manner of ascertaining the Location of adjacent and neighbouring Tracts, whereby to ascertain the Vacancy intended to be taken up, are apprehensive, that where only a few Lines of elder Tracts are run, and the rest are only plotted, or where, as is common, the Lines of the Elder are also Lines of the Younger, and consequently there p. 181

L. H. J. is, nor needs, in fact, be but one Running, the whole of such elder  
 Liber No. 54 Tracts are charged for as for Resurvey thereof.  
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Your Committee also beg Leave to report, that it appears to them, by two Accounts of Arnold Elzey, Deputy Surveyor of Somerset County, that for his only plotting, or laying down a Tract of Land, called Hogdown, containing 450 Acres, in three Positions, on a Warrant from the Provincial Court, between Thomas Bashaw's Lessee, and Sarah Thornes, and for Plots and Certificates thereof, the said Elzey charged the said Parties 1627½<sup>lb</sup> Tobacco, as by Plot and Accounts herewith annexed: Which Acts and Proceedings are, in the Opinion of your Committee, very illegal and oppressive, and not warranted by the late Regulation of fees, or any other Law; but is humbly submitted to the Consideration of the honourable House

Signed by Order Ralph Dobinson, Cl.

William Hayward, Esq from the Upper House, delivers to M.<sup>r</sup> Speaker, the Bill, entitled, An Act to enable Nicholas Rogers, an Infant, to demise the real Estate therein mentioned; thus indorsed: "By the Upper House of Assembly, November 20,<sup>th</sup> 1770: Read the first and second Time by an especial Order, and will pass, with the following Amendments, Viz.<sup>t</sup> Add in the Preamble, after the Word, "Estate," in the 13:<sup>th</sup> Line, the following Words Viz.<sup>t</sup> "not less than One hundred and fifty Pounds Sterling." And after the Word "him" in the fifteenth Line of the last Page, add the following Words Viz.<sup>t</sup> "and that not less than the Sum of One hundred and fifty Pounds Sterling be reserved, in the whole, on the Ground subject to be leased or demised as aforesaid.

Signed by Order U Scott Cl Up Ho."

Which was read with the Amendments, and passed for ingrossing

Also the Paper Bill, N.<sup>o</sup> 8; thus indorsed: "By the Upper House of Assembly, November 16:<sup>th</sup> 1770. The ingrossed Bill, whereof this is the Original, read and assented to.

Signed by Order U Scott Cl. Up. Ho."

And the Paper Bill, N.<sup>o</sup> 9; thus indorsed: "By the Upper House of Assembly, November 19,<sup>th</sup> 1770. The ingrossed Bill, whereof this is the Original, read and assented to.

Signed by Order, U Scott Cl. Up. Ho."

The House proceeded to tax the following private Bill, Viz.<sup>t</sup>

The Bill, entitled, An Act to enable Nicholas Rogers, an Infant, to demise the real Estate therein mentioned.

To the honourable Speaker..... £4..0..0

To the Clerk..... 2..0..0

The Bill, entitled, An Act to divide All Saints Parish in Frederick County, and to erect two new Parishes, by the Names of Eden Parish

and Frederick Parish, was read, with the Amendments proposed by the Upper House, and passed for ingrossing.

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George Steuart, Esq; from the Upper House, delivers to M.<sup>r</sup> Speaker, the Bill, entitled, An Act for amending the Staple of Tobacco, for preventing ffrauds in his Majesty's Customs, and for the Regulation of Officers ffees; thus indorsed: "By the Upper House of Assembly, November 6:<sup>th</sup> 1770. Read the first Time, and ordered to lie on the Table.

Signed by Order U Scott Cl. Up. Ho."

And thus "By the Upper House of Assembly, November 20:<sup>th</sup> 1770: Read the second Time and will not pass.

Signed by Order U Scott Cl. Up. Ho."

Also the following Message, Viz.<sup>t</sup>

By the Upper House of Assembly, 20:<sup>th</sup> of November, 1770  
Gentlemen,

We have declared in the most explicit Terms that we were willing to concur with you, . . . [*The lengthy message beginning thus is printed in full in the Upper House Journal, pp. 366-369*].

Which was read.

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On Motion, Leave given to Bring in a Bill to continue the Power of Inspectors and for other Purposes therein mentioned.

Ordered, That M.<sup>r</sup> Chase and M.<sup>r</sup> Ringgold do prepare and bring in the same

M.<sup>r</sup> Chase brings in, and delivers to M.<sup>r</sup> Speaker, the said Bill; Which was read the first and second Time, by an especial Order, and will pass. Sent to the Upper House by M.<sup>r</sup> Chase and M.<sup>r</sup> Johnson.

They return, and acquaint M.<sup>r</sup> Speaker they delivered the Bill

On Motion, Leave given to bring in a Bill to ease the Inhabitants of this Province in the Payment of Attorneys ffees and Dues to the Clergy

Ordered, That M.<sup>r</sup> Ringgold and M.<sup>r</sup> Chase do prepare and bring in the same

His Excellency the Governor communicates to M.<sup>r</sup> Speaker the following Message and Letter Viz.<sup>t</sup>

Gentlemen,

It has been the Object of my anxious Attention, and is my very earnest Wish, to cultivate an amicable Understanding with the Representatives of the People of Maryland; and I am therefore deeply affected with Concern to be thus driven to express a Disapprobation of the Spirit, by which some of your Proceedings have been guided, and which prompted your last Address. My Duty I shall always esteem it to be, to avoid every Occasion of reasonable Complaint, but I must not forget that it is my indispensable Duty, to check the

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Exercise of such Powers, as are incompatible with the indubitable Authority of Government, the permanent Security of Property and the constitutional Liberty of the Subject. Pretences for Censure are so easily framed that the most circumspect Behaviour can't prevent them. When they unhappily excite Animosity, give rise to querulous Expostulation, tend to promote popular Discontent, and obstruct the Course of publick Business, tho' the Mischiefs they produce, are much to be lamented, yet I can't but derive great Consolation from Reflection, when they spring from Passions I am not answerable for. Your positive Assertion, that the last Prorogation was an undue and ill advised Exertion of Power, permit me, Gentlemen, to observe, carries with it no Reasoning to convince my Judgment, nor any Authority to preclude a Vindication, especially as the Motives, which influenced me to apply for the Advice of those who are appointed by the Constitution to give it, and the Reasons by which they evinced the Propriety of their Opinion, have not been explained to you. When Conjecture is indulged, there is great Danger of Deception. Jealousy may raise an Alarm which an accurate Information of Circumstances might prevent; and under this Influence, Animadversion be directed against the Product of mere Imagination. Whether it would have been more regular in *your* Department to have called for a Detail of those Motives, and Reasons, and arraigned my Conduct in the Exercise of an unquestionable Prerogative, because not agreeable to your Views, or conformable to your Ideas, than it would be in *mine*, should I require an Account of, and on the same Ground condemn, your Conduct when exercised in any peculiar Privilege of your House, I shall not undertake to determine, but I must remark that, a precise Information of the Subject ought to have preceded your peremptory Decision upon it, especially a Decision derogatory from the Character of those, who are bound by the strictest Ties not to deserve the Reproach it conveys.

I do not mean to shelter, under forms, the Principles on which I was advised, and pursued the Measure of Prorogation, and shall therefore frankly explain them. When I acted upon them, I acted on a Conviction that I performed a most incumbent Obligation. When I review them I have great Complacency in the firm Persuasion, that I did what I ought, and should have been culpable, if I had omitted. It can hardly, I presume, be a Question, whether when a Subject in this Government is illegally deprived of his personal Liberty, it is the Duty of the executive Power to relieve him. Whether, where the Authority to afford Relief is placed, there the Application for it is regular. Where this is cognizable, there the Propriety of it is determinable? The Right of Petition is established for Purposes so important, and secured, and enforced by Sanctions so interesting, that the Representatives of a free People, can never, on any Occasion, dispassionately wish to impair, or discountenance it. They



would rather be inclined to connive at Improprieties in the Manner of exercising the Right, than scan it with a View to censure.

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M.<sup>r</sup> William Steuart having been committed, by Order of your House, to the common publick Goal, made his Application to me, for Relief against the Oppression of an arbitrary Procedure claiming that Benefit of Protection, to which He, in common with his fellow Subjects, is entitled. A Copy of his Commitment was laid before me, by which it appeared that, on the accumulative Charge “of having taken Notes of Hand, as the Clerk of the Land Office for the Payment of fees contrary to Law, for imposing an Oath as a Justice of the Peace, not appointed, and required by Law, and for an high Contempt of your House” he was committed “to be kept safe and close in the publick Goal, until he should be thence discharged by Order” of your House. I required the Consideration, and Advice of the Council upon all the Circumstances of the Case, and their Opinion was, that you had assumed an unwarrantable Jurisdiction, which, if admitted, would cancel all the Guards, and Securities, provided by a wise, and free Polity for the Protection of the Subject, and that, having been illegally deprived of his Personal Liberty, M.<sup>r</sup> Steuart was entitled to the Relief, which an Exertion of the Prerogative might afford him. In Consequence of this Opinion, and the Reasons by which it was supported, I interposed by proroguing the General Assembly from Friday, till the Monday next following; after having passed all the Bills ready for my Assent, and flattered myself, that a short Recess (as it had been on other Occasions) would rather be productive of sedate Reflection, than of the heavy Charge that I had effectually dismissed a publick Offender from Confinement, obstructed publick Justice, and in Terms of very indefensible Exaggeration, occasioned a considerable Expence to the Province, and a total Stagnation of important Business for several Days. In Vindication, as well of the Gentlemen of the Council, as of myself, I shall succinctly rehearse the Reasons they advanced in Support of their Advice. They observed that, where the Legislature and executive Authorities, the Will to ordain, and the power to enforce it, are lodged in the same Person, or persons, there a Tyranny is established; That under this free Constitution, these Authorities are therefore, distributed into different Apartments [*sic*]; That the Executive being in the supreme Magistrate; neither House of Assembly can undertake the Administration of existing Laws without a dangerous Infringement of the Constitution: That, of the Legislative, you are but one of the component Parts; That a Right to determine the fees charged were excessive, implies the Right to settle the exact Compensation due for the Services performed, because without the Standard what fees are adequate, what are more, or less than the just Proportion can’t be ascertained; That your rigorous Commitment was bottomed

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on the Principle that, to you belongs the Authority of punishing any Deviation from the Line of your Opinion; That if a precise Rule had been regularly preordained by the Law, an Offence against it ought to be prosecuted in a legal ordinary Judicatory; That a Prosecution and Punishment in a different Course are highly oppressive to the Subject affected thereby; That in the ordinary regular Administration of Justice our Polity has applied various excellent Precautions for the Protection of the Subject against Injury, which would be lost, if your House were suffered to execute the Powers you had assumed: for in the ordinary legal Course of Proceeding, the Fact is triable by Jury; the Party charged is not bound to disclose what may expose him to Penalty; the Jury are sworn, and as far as the Impression of Religion, and a Sense of Justice can influence, a just and impartial Determination may be expected. If there be reasonable Cause to suspect of Partiality any called to serve on the Jury, a Right to challenge is conferred; if the Jury corruptly render an injurious Verdict, they are liable to Punishment; if mistaken, the Consequence of their fallibility may, often be controuled by the Discrement of a second Jury; as the Jury are punishable, so are the Witnesses if perjured: The fact is tried in one Way, the Law determined in another; As these [*sic*] are Provisions to guard against the Injuries of corrupt, and mistaken Verdicts, so are there, against the Oppression of partial, and erroneous Judgments. Judges are upon Oath to do equal Right, and Justice to all Persons; They are punishable for Corruption; their Decisions are not conclusive, in the first Instance, but are subject to Revision, for which important Purpose, a Gradation of Jurisdiction is appointed; the Party is not liable to be harassed by a second Prosecution for the same Matter. As these Guards and Securities are of such admirable Efficacy in protecting the Property, Reputation and personal Liberty of the Subject, and to which *every* Subject (whether in or out of Office) is as well intitled, as *any*, so ought they be zealously, and firmly maintained, and if the Measure proper for their Defence, should, occasionally, suspend the Transaction of other Affairs, for a much longer Term than for a Day, or Two, the comparatively insignificant Interruption would not deserve a Moment's Deliberation; That these Guards and Securities so essential to the Stability of Property, and the personal Liberty of the People, upon which so great, and invaluable Interests depend, would become precarious, indeed, if through the Acquiescence, or Inattention of Government your House should be permitted to assume, and exercise the Power you claimed. You are not sworn to determine according to Evidence; to do equal Right and Justice to all Men indiscriminately. The Witnesses examined before you, in a Case of this Nature, would be liable to no Prosecution, if perjured. There would be no distinct Cognizance of fact, and Law; no Challenge allowed to prevent Par-

tiality; no Examination of your Conduct, however improper, in any other Jurisdiction; no new Tryal, Writ of Error, or Appeal; Your Determination, whether of Acquittal or Conviction, would be no Bar to a second Prosecution in a legal Judicatory; On these Grounds I was Advised, and pursued the Step, which, I am convinced, was constitutional, which the Occasion required, and which the general Security demanded, and am extremely sorry that it has proved to be so offensive to you. M.<sup>r</sup> Steuart has already severely suffered, for any Irregularity he may have committed, by a rigorous, and ignominious Imprisonment; to inflict double Punishment for the [same] Delinquency, is not consistent with the equitable Spirit of our Constitution, tho' he may be liable to it—

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His Lordship's Authority has not yet interposed in any Regulation of the fees of Officers, nor have I any Reason to imagine that it will interpose in such a Manner as to justify a regular Opposition to it. So far as I may be concerned in any such Measure, I shall take good Care to act on mature Consideration; what I shall judge to be right and just, will be the only Dictate, by which I shall be determined. M.<sup>r</sup> Calvert and M.<sup>r</sup> Steuart have been made acquainted with your Complaint against them, and I send you their Answer by which you will observe that they did not intend referring to any Proclamation respecting their Dues, nor do I perceive any Irregularity in their Conduct as I am of Opinion they were not bound to do the Services without an immediate Payment of, or Security for, their fees; the Rate which had obtained under Act of Assembly for more than twenty three Years, and expired so lately as the 22<sup>d</sup> of October last, seem to be the most unexceptional they could follow. His Lordship has, I think, the clearest Right to dispose of his real Estate upon such Terms, as he may think proper; to direct the formal Observances in making Titles to his Grants; and to settle and regulate the Rewards his Officers in this Department, may demand and receive. Be assured, Gentlemen, that I shall, on every Occasion, pay a due Regard to your Rights; that I shall never countenance the illegal Exactions of any Officers, nor submit to any Usurpation, which may essentially endanger that constitutional Balance of counteracting Powers, so necessary to the Protection of the People, and the Preservation of the Public Peace.

Gentlemen,

This Answer to your Address you should have received before, had I not, from a tender Regard to the Welfare of the Province, chosen rather to suffer a temporary Imputation, than that your Attention should be directed from the very important Objects before you, of the depending Inspection Bill

Rob.<sup>t</sup> Eden

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Sir,

November 10:<sup>th</sup> 1770

We return your Excellency our Thanks for the Communication, you have favoured us with, of the Charge cast on our Conduct, by the Lower House of Assembly, and the Opportunity we have thereby of vindicating our Conduct. When the Act regulating the fees of Officers, and of ourselves among the rest fell, we thought it expedient to direct our Clerks to receive, or secure the fees which might arise, for Services that might be applied for; We apprehend and still think that we were not bound to perform Services, without receiving or securing a Reward for them, and in settling our Demands, we thought the Regulation established by an Act of Assembly, and which was in force till the 22:<sup>d</sup> of last Month, would be a proper Rule, and therefore directed that the fees, should be charged according to that Regulation, and paid or secured in the following Manner. By those who made no Tobacco in Money after the Rate of 12/6 Common Money for 100:<sup>lb</sup> of Tobacco, by those who made Tobacco to be secured by their Promissory Notes—We directed no Oath to be tendered, nor spoke of any Proclamation, and suppose that the Clerk, if he did administer an Oath, was led to do it by this Circumstance, that being directed to observe the late Regulation as above, and to distinguish between those who were Makers of Tobacco, and those who were not, and the late Regulation having required an Oath, in such Case, therefore might administer it. As to his Lordship's Proclamation, we need not inform your Excellency, that none ever issued respecting the fees of the Land Office, and therefore could not refer to it; but the late Proprietor, considering it to be an Office concerning his private Revenue, claimed a Right to direct on what Conditions his Lands should be granted, and we humbly conceive that his Claim was justly founded. We beg Leave further to observe to your Excellency that our Directions were more indulgent to the People than the Orders which were given by Gov.<sup>r</sup> Hart as Chancellor of this Province, when upon the Lower House of Assembly refusing to receive and continue an Act for the Regulation and Payment of Officers fees which expired in 1719

p. 188 while the Assembly was sitting he directed the Person who had been appointed to affix the Great Seal, on no account to Affix it to any Paper, either of a publick or private Nature unless the Party applying should instantly pay for the Service, according to the Rate which had been prescribed by the Act that had lately expired. Should his Lordship or his Governor for the Time being think proper to regulate the fees of this Office, we shall have no Scruple in demanding such, and until then, shall proceed according to the above Directions

We have Sir, the Honour to be with the greatest Respect & Regard  
 To his Excellency } Y.<sup>r</sup> Mo. Obed.<sup>t</sup> Serv.<sup>ts</sup>  
 Rob.<sup>t</sup> Eden, Esq<sup>r</sup> } (Signed) Bened.<sup>t</sup> Calvert  
 [A Copy] Geo. Steuart



Which were read

M.<sup>r</sup> Ringgold brings in, and delivers to M.<sup>r</sup> Speaker the Bill, entitled, An Act to ease the Inhabitants of this Province in the Payment of Attorneys fees and Dues to the Clergy. Which was read the first Time, and ordered to lie on the Table

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On reading a second Time the said Bill, the Question was put that One fourth, instead of One fifth be deducted upon Payment of the Clergys Dues in Money? Resolved in the Negative

For the Negative

Mess. <sup>rs</sup>	Key,	Adams,	Beall,	[24]
	Eden,	Tilghman,	Tyler,	
	Ringgold,	Dickinson,	Contee,	
	Chase,	J. Paca,	J. Hall,	
	Johnson,	Steele,	Wright,	
	Griffith,	Veazy,	Hollyday,	
	Grahame,	Baxter,	Hopper,	
	Smallwood,	Ward,	Dashiell.	

For the Affirmative

Mess. <sup>rs</sup>	Worthington,	W. Paca,	Heugh,	[10]
	Deye,	Allen,	Wootton.	
	Acq. Hall,	Mackall,		
	Gilpin,	Luckett,		

The Bill was then put to its Passage and will pass.

The House adjourns till To-Morrow Morning Eight O'Clock

Wednesday November 21<sup>st</sup> 1770

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The House met according to Adjournment.

The Members were called, and all appeared as on Yesterday.

The Proceedings of Yesterday were read

The Bill, entitled, A Supplementary Act to the Act, entitled, An Act to prevent the Exportation of flour &<sup>ta</sup> from Baltimore Town, in Baltimore County, was read a second Time, and committed.

M.<sup>r</sup> Johnson added to the Committee appointed upon the Draft of the Bill for the Inspection of flour &<sup>ta</sup> in Baltimore Town.

M.<sup>r</sup> Smallwood brings in, and delivers to M.<sup>r</sup> Speaker the following Report

By the Committee appointed by the Honourable the Lower House of Assembly, to enquire into the Allegations and Facts contained in the Petition of Ann Gaither

Your Committee in Obedience to the Order of your Honourable

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House have enquired into the several facts and Allegations therein contained, and do find from the Information of Isaac Harris and Elizabeth Perry that the Dwelling House in the Occupation of Ann Gaither was in the Year 1765 pulled down and torn to Pieces, by a Number of People; since which Time the said Ann Gaither at her own Expence has rebuilt the same and repaired all the Damage done at that Time on the Premises, for which there was in November 1766 an Allowance of £100 made to the Representatives of Samuel Gaither; £75 of which the said Ann Gaither has received, and it appears to your Committee that she is entitled to the remaining £25, as the Damage was repaired solely by her, and the Premises now are in a better State than they were before the Damage was done as the abovesaid Harris and Elizabeth Perry do on Oath declare. Your Committee beg Leave to mention that it appears that Benjamin Tasker Esq. made and executed a Lease of Part of a Lot of Ground whereon said House stood to Samuel Gaither the late Husband of the said Ann, dated the 15.<sup>th</sup> Day of October 1759, and that the said Samuel Gaither by his last Will and Testament dated the 23.<sup>d</sup> Day of September 1762 devised the said House and Lot of Ground to Mary Gaither and Cassandra Gaither Sisters of the said Samuel, and that Ann Gaither the Petitioner purchased of Edward Norwood who intermarried with the said Mary one fourth Part of the said Lot of Ground for the Sum of £12..10..0 as per Deed bearing Date the 16.<sup>th</sup> Day of November 1763 legally acknowledged and recorded as appears to your Committee. All which is humbly submitted to the Honourable House.

Signed by Order Ralph Dobinson Cl.

Which was read and concurred with, and the Consideration thereof referred till next Session

The ingrossed Bill N.<sup>o</sup> 10 read and assented to, and sent to the Upper House, with the Paper Bill thereof by M.<sup>r</sup> Heugh and M.<sup>r</sup> Luckett. They return, and acquaint M.<sup>r</sup> Speaker they delivered the Bill

The ingrossed Bill, N.<sup>o</sup> 11 read and assented to, and sent to the Upper House, with the Paper Bill thereof, by M.<sup>r</sup> Deye and M.<sup>r</sup> Aquila Hall. They return, and acquaint M.<sup>r</sup> Speaker, they delivered the Bill

The Bill, entitled, An Act to ease the Inhabitants of this Province in the Payment of Attorneys fees and Dues to the Clergy Sent to the Upper House by M.<sup>r</sup> Worthington and M.<sup>r</sup> Beall. They return, and acquaint M.<sup>r</sup> Speaker they delivered the Bill.

The Report brought in Yesterday by M.<sup>r</sup> Beall read and concurred with. The Consideration of which is referred till the second Day of next Session

John Beale Bordley Esq. from the Upper House delivers to M.<sup>r</sup>

Speaker the Paper Bills N.<sup>o</sup> 10 & 11 severally indorsed "By the Upper House of Assembly 21.<sup>st</sup> Nov.<sup>r</sup> 1770 The ingrossed Bill whereof this is the Original, read and assented to

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Signed by Order U Scott Cl. Up. Ho."

William Fitzhugh Esq from the Upper House delivers to M.<sup>r</sup> Speaker the Bill, entitled, An Act to continue the Power of Inspectors and for other Purposes therein mentioned; thus indorsed: "By the Upper House of Assembly 20.<sup>th</sup> November 1770 Read the first Time and ordered to lie on the Table

Signed by Order U Scott Cl. Up. Ho."

And thus "By the Upper House of Assembly, 21.<sup>st</sup> November 1770 Read the second Time, by an especial Order, and will pass, with the following Amendments. Leave out in the Title the Words "and for other Purposes therein mentioned" After the Word "Warehouses" in the 16.<sup>th</sup> Line of the 2.<sup>d</sup> Page leave out the Residue of the Bill.

Signed by Order U Scott Cl. Up. Ho."

Which was read with the Amendments and past for ingrossing

George Steuart, Esq from the Upper House delivers to M.<sup>r</sup> Speaker, the Bill, entitled, An Act to ease the Inhabitants of this Province in the Payment of Attorneys ffees and Dues to the Clergy; thus indorsed: "By the Upper House of Assembly 21.<sup>st</sup> November 1770 Read the first and second Time, by an especial Order, and will not pass.

Signed by Order U Scott Cl. Up. Ho."

M.<sup>r</sup> Bordley hath Leave of Absence.

Ordered, That the Tables of ffees and the Clauses dependent thereon in the Bill, entitled, An Act for amending the Staple of Tobacco, for preventing ffrauds in his Majesty's Customs and for the Regulation of Officers ffees be immediately printed, and that four Copies thereof be sent to each Member of the present Lower House of Assembly.

On Motion, Resolved unanimously, That the Upper and Lower Houses of Assembly having so far agreed on the Bill for amending the Staple of Tobacco, for preventing ffrauds in his Majesty's Customs and for the Regulation of Officers ffees, as that the County Levy, Clergys Dues, and Attorneys ffees should be payable in Tobacco or Money, at the Election of those who should be chargeable therewith, and it being the Duty of the General Assembly to enact and provide wholesome Laws for the Ease, Welfare and Happiness of the People of this Province, the Upper House of Assembly, *after their Negative on the said Bill*, ought to have assented to the Bills formed by this House, to provide for the Payment of the County Levy, Clergys Dues and Attorneys ffees, in *that Manner*. p. 190

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Resolved, nemine contradicente, That the Upper House, four Members of which hold the Secretary's, Commissary General's and Land Office, and the fees of which Offices were attempted to be regulated by the first mentioned Bill, have, in the Intercourse between the two Houses, on the Subject of that Bill, and by their ultimate Rejection thereof, manifested an unreasonable Attachment to the Emoluments of Office, and by their Rejection of the said *other Bills that House* hath evinced an unjustifiable Design to force this Branch of the Legislature by *the feelings of the People*, into a Regulation of Fees more correspondent to those *Schemes of Wealth & Power* which it is much to be apprehended are formed by *some of the great Officers* of this Government, and which if carried into Execution will tend to the Oppression of the People, and, in the End, greatly endanger their Liberties

Resolved, nemine contradicente, That the Charge of fees (estimated at *above the annual Amount* of 60,000lb Tobacco) by the Commissary General, *upon Administrations granted by his Deputies*, and for *which they are paid*, is an Abuse of the old Regulation of fees, *illegal and oppressive*

Resolved, unanimously, That the *additional Charge*, by the Commissary General, of *Order* to almost every Service done in his Office (estimated at *above the annual Amount* of 40,000lbs of Tobacco) when by the same Regulation it was *only allowed in Testamentary Causes* is an Abuse, of that Regulation, *illegal and oppressive*

Resolved, unanimously, That the Charge by the Secretary and County Clerks of this Province, *for recording of Papers*, in Actions discontinued, abated, struck off, or agreed, when they are not, nor need be recorded, is an Abuse of the same Regulation *illegal and oppressive*

Resolved, unanimously, That the Charge by the Secretary, *for making up Issues* in the Provincial Court *when the same* is done by the Attornies; *for issuing a Venire facias* for Jurors, when *none* is issued, *for Copy of Judgment*, on issuing Executions, or for *Search and Copy of Judgment*, on issuing Scire facias, is an Abuse of the same Regulation, *illegal and oppressive*

Resolved, unanimously, That the Charge of 300lbs of Tob.<sup>o</sup> by Surveyors, *for laying down adjacent Tracts*, merely to correct the Errors of an original Survey, is an Abuse of that Regulation, *illegal and oppressive*.

Resolved, unanimously, That the Charge of 300 lbs of Tobacco by Surveyors *as for a Resurvey for surveying or laying down each Tract of Land on a Warrant of Survey*, from the Provincial Court; and of 300 lbs of Tobacco for any Tract of Land *laid down only for Illustration*, is an Abuse of that Regulation, *illegal and oppressive*.

Resolved, unanimously, That the Charge by the Examiner General,



on every Plat laid down for Illustration and on every Piece of Vacancy added as on separate and distinct Tracts, is an Abuse of that Regulation illegal and oppressive

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Ordered, That the above Resolves be printed in this Week's Maryland Gazette, and be continued therein three Weeks successively.

On Motion, Resolved, unanimously, That this House is constitutionally invested with a Power to commit to the publick Goal by Way of Punishment any Person for Breach of Privilege or Contempt, there to remain till discharged by Order of this House

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Resolved, nemine contradicente, That this House as the grand Inquest of the Province has an unquestionable Authority founded on Precedent, and long uninterrupted Usage to hear and enquire into all Complaints and Grievances; and as incidental to that Authority has constitutionally a Power to commit any Person for any Crime whatsoever to the publick Goal there to remain till he be discharged by due Course of Law

Resolved, That the Lord Proprietary has no Right to dispose of his Vacant Land, within this Province upon Terms different from his former Proclamations for that Purpose, and that his Lordship has no Right to settle and regulate the fees or Reward to the Registers or Officers of the Land Office for Services performed by them therein

M.<sup>r</sup> Ward hath Leave of Absence

Benedict Calvert and Daniel Dulany Esquires from the Upper House acquaint M.<sup>r</sup> Speaker that the Governor requires the Attendance of the Members of the Lower House, immediately in the Upper House.

M.<sup>r</sup> Speaker left the Chair, and (with the Members of this House) went to the Upper House and there presented the following Bills Viz.<sup>t</sup>

N.<sup>o</sup> 2. An Act empowering Edward Tilghman, Solomon Wright, and others, to sell certain Lands devised by Col.<sup>o</sup> Vincent Lowe, formerly of Talbot County to be sold for the Purposes by the said Devise intended

N.<sup>o</sup> 3. A Supplementary Act to the Act, entitled, An Act to enable the Justices of Queen Anne's County Court for the Time being to levy on the taxable Inhabitants of Saint Luke's Parish in the said County a Quantity of Tobacco for building a Chapel in the said Parish

N.<sup>o</sup> 4. An Act to divide Saint George's Parish in Baltimore County

N.<sup>o</sup> 5. An Act to establish a Market in Frederick Town in Frederick County and for the Regulation of the said Market

N.<sup>o</sup> 6. An Act to remedy the Omission of the Enrollment of a Deed of Bargain and Sale from Thomas Collier to Thomas Lightfoot, William Lightfoot, Abraham Mitchell, Walter Franklin and Samuel Franklin

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N.<sup>o</sup> 7. An Act for the Establishment of a Chapel of Ease in Saint Peter's Parish in Talbot County

N.<sup>o</sup> 8. A Supplementary Act, to the Act, entitled, An Act for the Relief of the Poor within the several Counties therein mentioned.

N.<sup>o</sup> 9. An Act for the Relief of certain Prisoners in the several Jails therein mentioned

N.<sup>o</sup> 10. An Act to divide All Saints Parish in Frederick County, and to erect two new Parishes by the Names of Eden Parish and Frederick Parish

N.<sup>o</sup> 11. An Act to enable Nicholas Rogers, an Infant, to demise the real Estate therein mentioned

All which Bills (except N.<sup>o</sup> 4) his Excellency passed into Laws in the usual Manner, and made the following Speech.

Gentlemen of the Upper and Lower Houses of Assembly,

I have thought fit, with the Advice of his Lordship's Council of State, to prorogue this Assembly to Thursday the Eleventh Day of December next; and you are to take Notice you are prorogued to that Day accordingly.

So endeth this Session of Assembly this 21.<sup>st</sup> Day of November 1770

Test Jn.<sup>o</sup> Duckett Cl. Lo. Ho.

# ACTS OF THE ASSEMBLY PASSED DURING NOVEMBER 5-21, 1770

At a Session of Assembly begun and held at the City of Annapolis the fifth Day of November in the twentieth Year of the Dominion of the Right Honourable Frederick Absolute Lord & Proprietary of the Provinces of Maryland & Avalon Lord Baron of Baltimore & so forth Annoque Domini one thousand seven hundred and seventy and ending the twenty first Day of the same Month.

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The following Laws were enacted & assented to by his Excellency Robert Eden Esquire Governor.

## No. 1 An Act for the Adjournment and Continuance of Baltimore County Court

Whereas An Adjournment of Baltimore County Court which is now sitting is at this time Necessary many of the Members of the Lower House being absent and Several of the Members whose Attendance on their Duty at this Session of Assembly cannot be dispensed with having also Necessary Business in the said Court—

[Preamble.]

Be it therefore Enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that all causes Pleas Process and Proceedings returnable to the said County Court or therein Now depending shall be and are by Virtue of this Act Adjourned and Continued untill Monday the third Day of December next and shall be on that Day in the same State and Condition to all intents and Purposes as they now are in any Law usage or Custom to the Contrary Notwithstanding

[Baltimore  
County  
Court Ad-  
journed.]

By the Lower House of  
Assembly Nov.<sup>r</sup> 5.<sup>th</sup> 1770  
Read and Assented to  
Signed by Order  
Jn<sup>o</sup> Duckett Cl. Lo. Ho.

On behalf of the right  
Honourable the Lord  
Proprietary of this Province I will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly November 5.<sup>th</sup>  
1770 Read and Assented  
to

Signed by Order  
U Scott Cl. Up. Ho.

the great seal in  
wax appendant

## No. 2 An Act impowering Edward Tilghman, Solomon Wright and others to sell certain Lands devised by Col.<sup>o</sup> Vincent Lowe formerly of Talbot County to be sold for the Purposes by the said Devise intended

Whereas Edward Tilghman, Solomon Wright Attorney at Law Mary Wright Widow Francis Barnes Jun.<sup>r</sup> and Philemon Murphy

[A Private  
Act.]

Liber R. G. Farmers and James Coursey House joiner all of Queen Anns  
 1770 County and Thomas Coursey John Coursey and Henry Coursey  
 Mariners and Daniel Kellum of Talbot County Planter by their  
 humble Petition to this General Assembly in their last Session did  
 Set forth that Col.<sup>o</sup> Vincent Lowe of Talbot County in this Province  
 on or about the fourteenth Day of December Anno Dom. One  
 thousand Six hundred and ninety one made his Testament in writing  
 and therein did Devise unto James Murphy and Michael Turbutt his  
 Executors to be sold for the Payment of his Just Debts the follow-  
 p. 82 ing Lands Viz<sup>t</sup> Two thousand Acres of Land in Two Patents the  
 one called Winfield the other oakenthorpe lying in Talbot County  
 in the Branches of Tuckahoe and one other tract of Land Lying in  
 Cecil County called Lady's Delight and two thousand Seven hundred  
 Acres near Adjoining to the afd Ladys Delight called Timber Ridge  
 in Cecil County aforesaid One thousand Acres of Land lying in  
 Chester near Edward Elliots Land called Lowes Desire Seventeen  
 hundred Acres called the Adventure lying in Chester aforesaid five  
 hundred acres of Land called the Beginning five hundred Acres of  
 Land called Chesterfield in Chester both Tracts one Thousand Acres  
 of Land called Thurston Neighbour lying in Baltimore County which  
 one Thousand Acres called Thurston Neighbour the said Vincent  
 Lowe did by his Will Declare to have sold to Jacob Jenifer but if  
 the said Jacob did not comply with his Obligation then to be disposed  
 of as the foregoing tracts of Land and one Thousand Acres of Land  
 lying in Dorset County called Lowes Purchase conditionally sold or  
 Bargained for to Edward Cook That by a Codicil to the said Will  
 the said Vincent Lowe did desire his said Executors to expose his  
 said Lands mentioned in his said Will to sale and When sold to pay  
 his Just Debts out of the Produce of the same and when they had  
 so payd his just Debts that then they should give his Wife Elizabeth  
 Lowe a just account of their Proceeding and also the Remainder  
 of what his said Lands should Produce after paying his said Debts  
 to be payd to his said Wife her heirs and Assigns for them and their  
 Proper Use and Behoof forever That Elizabeth the Widow Inter-  
 married with Col.<sup>1</sup> William Coursey of Queen Ann's County who  
 Obtained an Act of Assembly setting forth that the said Exors were  
 both Dead without having Disposed of the said Lands tho they had  
 sold and bargained for some of the said Tracts but had not perfectly  
 confirmed their sales and impowering them the said William and  
 Elizabeth and the Survivor of them to bargain sell dispose of and  
 confirm the said Lands in as full and ample manner as the said  
 Executors cou'd or might have done by virtue of the said Will

That the said William Coursey and Elizabeth his wife did sell and  
 convey several tracts of the aforesaid Lands That Elizabeth the wife  
 Survived and made her Testament in writing wherein after Several  
 Devises and Bequests is the following Viz.<sup>t</sup> After my funeral



Charges, my own Just Debts by me Contracted and Legacies hereby given and Bequeathed are fully Satisfied contented and payd I give and bequeath all the rest Residue and Remaining part of my Personal Estate let it be of whatsoever nature Kind property, Quantity or Quality to be equally divided between Michael Turbut Anna Turbut & Mary Turbut son and Daughters of the said William Turbut and John Coursey Thomas Coursey and Mary Coursey the sons and Daughter of John Coursey late of the said County deced and to the Survivors of them when they come and arrive at the Age of twenty one Years or the Day of Marriage My Will and Meaning is if any or either of the said Son or Daughters of the said William Happen to Die before the time abovesaid then the Survivors or Survivor shall have and enjoy the Dividend as afd and also if John Coursey Thomas Coursey or Mary Coursey shall happen to die before the age and time aforesaid then the Survivor or Survivors to enjoy their Dividend bequeathed as aforesaid

Liber R. G.  
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p. 83

That the aforesaid Michael Turbut died in his Minority, That the said Anna Turbut intermarried with Edward Tilghman the Petitioner That the said Mary Turbut (now Mary Wright the Petitioner) intermarried with Nathan Wright late of Queen Anns County Deceased That the said Thomas Coursey died in his Minority That the said John Coursey died leaving Lawful Issue Thomas, James, John and Henry the Petition.<sup>rs</sup> and also Mary who intermarry'd with Philemon Murphy and Elizabeth who intermarryd with Francis Barnes jun.<sup>r</sup> Both the Petitioners that the aforesaid Mary Coursey intermarryd with Solomon Wright late of Queen Anns County deced and left by him Issue the Petitioner Solomon Wright and also intermarryd with Nicholas Glyn of Talbot County and died Leaving by him issue Mary who intermarryd with Daniel Kellum the Petitioner And the said Pet.<sup>rs</sup> conceiving themselves equitably entituled under the afd Devise Act of Assembly and Bequest to the Benefit intended by the aforesaid Vincent Lowe to his aforesaid Wife did pray that an Act might Pass for impowering them or anyone or more of them (who might from time to time by Writing under the hands and Seals of the others or the Major part of them and the Survivors of them be impowered to act and who they prayed might be enabled under such power to act) to bargain with and sell convey and Confirm unto any Purchaser or purchasers their heirs & Assigns forever all and Every the said tracts of Land or any part thereof so as afd by the afd Vincent Lowe devised to be sold and now remaining unsold by either the said Exors the said William and Elizabeth or the said Elizabeth and the Remainder of the Produce thereof after payment of the just Debts of the said Vincent Lowe if any there be to apply to the use and Behoof of the Petitioners in Proportion to their Several and respective rights under the Bequest before mentioned from the aforesaid Elizabeth Coursey and of

Liber R. G. their Legal Representatives or in such manner as might seem to  
 1770 the General Assembly most Consistent with the Equitable intention  
 of the Original Devise And as all the facts and Allegations in the  
 said Petition Contained were fully made appear to be true but before  
 a Bill could be got through the Parliamentary Forms there was a  
 Prorogation of the General Assembly

Be it therefore Enacted by the right Honourable the Lord Pro-  
 prietary by and with the Advice and consent of his Lordships  
 Governor and the Upper and Lower Houses of Assembly and the  
 Authority of the same that the aforesaid Edward Tilghman, Solomon  
 Wright, Mary Wright Francis Barnes Jun.<sup>r</sup> Philemon Murphy James  
 Coursey Thomas Coursey, John Coursey, Henry Coursey and Daniel  
 Kellum or anyone or more of them (who may or shall from time  
 to time by writing under the Hands and Seals of the others or the  
 p. 84 Major part of them and the Survivors of them be empowered to act  
 and who is and are hereby fully to all intents and Purposes within  
 the Purview of this Act enabled under such Power to act) is and are  
 hereby fully Authorized and empowered to bargain with and sell  
 convey and Confirm unto any person or Persons who shall Offer  
 to purchase the same their Heirs and Assigns forever all and every  
 the aforesaid tracts of Land or any part thereof so as aforesaid by  
 the afd Vincent Lowe devised to be sold and now remaining unsold  
 by either the said Executors the said William and Elizabeth or the  
 said Elizabeth after the Death of the said William and the Nett  
 Produce on the Sales thereof or any part thereof (retaining the  
 Necessary Expences and Reasonable Charges arising and Accruing  
 on the Obtention of this Act and Every Proceeding relative to the  
 Recovery and sale of the said Lands or any part thereof or any  
 other Proceeding any way relative to the Execution of their power  
 or trust under this Act) the person or Persons who shall be so as  
 aforesaid empowered to act and who under such Power shall Act is  
 and are hereby Directed and required to apply first to the Payment  
 of the Just Debts of the aforesaid Vincent Lowe now remaining  
 unpaid if any there be and the Remainder to the use and behoof of  
 the afd Edward Tilghman Solomon Wright Mary Wright Francis  
 Barnes jun.<sup>r</sup>, Philemon Murphy, James Coursey, Thomas Coursey,  
 John Coursey, Henry Coursey and Daniel Kellum in Proportion to  
 their Several and Respective rights under the Bequest before men-  
 tioned from the aforesaid Elizabeth Coursey and of their Legal  
 Representatives and a just and fair account of this or their Proceed-  
 ings in the [Premi]ses to the persons empowering them as aforesaid  
 as soon as may be to render

Provided always that nothing in this Act contained shall ex-  
 tend to bar the Heir at Law of the aforesaid Vincent Lowe deced  
 from pursuing his right or title (if any he hath or shall have to the  
 prem[is]es or any part thereof) within five Years after the end of  
 this Session of Assembly

And also that the infant son and heir at Law of Stead Lowe decd may pursue his right or title (if any he hath to the Prem[is]es or any thereof) within twelve Months after he shall attain his full age saving to all persons not herein mentioned their Several and Respective Rights

Liber R. G.  
1770

By the Lower House of  
Assembly Nov. 12.<sup>th</sup> 1770  
Read and Assented to  
Signed by Order  
Jn<sup>o</sup> Duckett Cl. Lo. Ho

On behalf of the right  
Honourable the Lord  
Proprietary of this Prov-  
ince I will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly November 12.<sup>th</sup>  
1770 Read and Assented  
to  
Signed by Order  
U. Scott. Cl. Up. Ho

the great seal in  
wax appendant

No. 3 A Supplementary Act to the Act entituled an Act to enable the p. 85

Justices of Queen Anns County Court for the time being to Levy on the Taxable Inhabitants of Saint Lukes Parish in the said County a Quantity of Tobacco for building a Chapel in the said Parish—

Whereas the Rector Vestrymen and Church Wardens of Saint Lukes Parish in Queen Anns County by their humble Petition to this General Assembly have set forth that the Quantity of thirty thousand Pounds of Tobacco directed by the Act entituled “An Act to enable the Justices of Queen Anns County Court for the time being to Levy on the Taxable Inhabitants of Saint Lukes Parish in the said County a Quantity of Tobacco for Building a Chapel in the said Parish” to have been Assessed at any time between the twentieth Day of December and the twelfth Day of January now last past has not been Assessed agreeable to the said Act and have prayed that an Act may now pass to empower the Justices of said County at their November Court which shall be in the Year Seventeen hundred and seventy one to Assess on the Taxable Inhabitants of said Parish the aforesaid Quantity of Tobacco for the use as by the said Act is directed

[Preamble,  
reciting a  
former Act.]

Be it therefore Enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordship Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Justices of Queen Anns County for the time being shall at their November Court to be held in the Year One thousand Seven hundred and seventy one assess on the Taxable Inhabitants of Saint Lukes Parish aforesaid the sum of Thirty Thousand Pounds of Tobacco together with a Commission to the Sheriff of five Per Cent for Collecting the same which sum of Thirty Thousand Pounds of Tobacco together with his Commission for Collecting the same it shall and may be Lawful for the Sheriff of Queen Anns County for the time being to levy and Collect by way of Execution of and from the Taxable Inhabitants of Saint Lukes

[The Jus-  
tices of  
Queen  
Anne's  
County to  
assess on the  
taxable In-  
habitants of  
St. Luke's  
Parish,  
30,000 lb. of  
Tobacco;]

Liber R. G. 1770 Parish aforesaid in the same manner that other Parish Taxes usually are or may be lawfully Levied and Collected

[which may be discharged as other Parish Taxes;] Provided always and be it Enacted that the said Taxable Inhabitants may and they are hereby Impowered to pay and discharge the said Assessments in the same manner that other Parish Taxes may be paid and discharged by the Laws of this Province which shall be in force at the time of Levying and Collecting the same

[and by the Sheriff paid to the Vestrymen and Church-wardens;] And be it further Enacted that the Sheriff aforesaid shall and he is hereby required to pay to the Vestrymen and Church Wardens of Saint Lukes Parish aforesaid for the time being or to their Order all such sums of Money and Tobacco as he shall Collect and receive by Virtue of the said Assessment and of this Act his Commission aforesaid Excepted in such manner and at such time as other Parish or County Levies ought to be paid by the said Sheriff

[and by them applied, as by the aforesaid recited Act is directed.] p. 86 And be it further Enacted that it shall and May be Lawful to and for the Vestrymen and Church Wardens of the Parish aforesaid for the time being and they are hereby Authorised and required to apply and Lay out the Money and Tobacco so to be Levied collected and paid by the aforesaid recited Act is Directed and to no other use or purpose whatsoever

By the Lower House of  
Assembly Nov. 12.<sup>th</sup> 1770  
Read & Assented to  
Signed by Order  
Jno Duckett Clk. Lo: Ho.

On behalf of the right  
Honourable the Lord  
Proprietary of this Province  
I Will this be a Law  
Rob.<sup>t</sup> Eden

By the Upper House of  
Assembly 13.<sup>th</sup> November  
1770 Read & Assented to  
Signed by Order  
U Scott Cl. Up. Ho.

the great seal in  
wax appendant

No. 4 NB. Bill N.º 4 did not pass into a Law.

No. 5 An Act to establish a Market in Frederick Town in Frederick County and for the Regulation of the said Market.

[Preamble.] Whereas it has been represented to this General Assembly that the Inhabitants of the said Town had Built and erected a Large and Convenient Building Calculated for a Market House and other Publick Uses which if put under a proper Regulation might be rendered very useful to them and the Inhabitants of the said County and it is prayed that an Act of Assembly may be passed for holding and Regulating the Market of the said Market House and for the Appointment of a Clerk of the said Market by the Justices of Frederick County Court

[Market Days appointed, &c.] Be it therefore Enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That from and after the twentieth Day of this Present Month of November two Days in every Week to wit



Wednesday and Saturday shall be held as Market Days at the Market House in the Town of Frederick aforesaid and that all Victuals and Provisions whatsoever brought to the said Town for sale (except Fish and Oysters all Kinds of Grain Flower and Bread Butter in Firkins or other Vessels Exceeding twenty Pounds Nett and Cheese Pork by the Hogg Beef and Pork in Barrels or Larger Casks live Cattle Sheep and Hogs) upon those or any other Days of the Week shall be Carried to the Public Market House of the said Town there to be sold at the Stated Market Hours to wit from any time in the Morning to twelve at Noon

Liber R. G.  
1770

And be it further Enacted that no Inhabitant of the said Town or other Person shall Presume to buy or cause to be bought of any person or persons bringing (and within one Mile of the said Town) or having brought therein any Kind of Victuals or Provisions for Sale (except as before excepted) either upon the above Stated Market Days or any other Days of the Week during the time of the above Stated Market Hours at any other Place Whatsoever but at or in the aforesaid Market House under the Penalty of twenty Shillings Current Money of this Province for every Such Offence to be recovered by Warrant before any Justice of the Peace for Frederick County or the County where such person shall reside as in case of Small Debts to be paid to the Clerk of the said Market for the time being and applied by him to the uses herein after mentioned

[No Inhabitant, &c. shall presume to buy Victuals or Provisions, during stated Hours, but at the Market-House, under Penalty, &c.]  
p. 87

And Be it further Enacted that no person whatsoever bringing or sending or having brought or sent any Victuals or provisions to the said Town for sale (except as before Excepted) shall presume to sell or cause to be sold the said Victuals or Provisions so bringing or sending or brought or sent as aforesaid to the said Town or within one Mile thereof at any other Place whatsoever during the time of the above Stated Market Hours but at or in the aforesaid Market House under the Penalty of Ten Shillings Current Money of this Province for every such Offence to be recovered paid and applied as aforesaid And if any Servant or Slave shall presume to sell any Victuals or Provision Contrary to the true intent and Meaning of this Act such Servant or Slave shall be punished by Whipping on the Bare Back at the discretion of one or more Justices of the peace for Frederick County Provided such Whipping do not exceed fifteen Lashes for any one Offence

[and no Person shall presume to sell Victuals or Provisions during stated Hours, but at the aforesaid Market-House, under Penalty, &c.]

And be it further Enacted that the Justices of Frederick County aforesaid in Court Sitting shall and they are hereby required at their next November Court and at every November Court Yearly during the Continuance of this Act to Nominate and appoint one of the Inhabitants of the Town of Frederick aforesaid being a Freeholder within the Said Town to be Clerk of the said Market for the Year then next ensuing whose Power and Authority as Clerk shall con-

[The Justices of Frederick County to nominate a Clerk of said Market annually.]

Liber R. G. 1770      tinue until the last Day of November Court Succeeding such Nomination and appointment

[His Power and Authority.]

And be it further Enacted that the Clerk of the said Market to be appointed shall have Sufficient power and Authority to take Care and Charge of the Market and Market House aforesaid to inspect the Provisions brought thereto for sale and if any shall be found unsound or unwholesome to destroy the same

[The Clerk to keep a fair Account of the Profits arising from Rents, Fines and Penalties he shall receive, &c.]

And be it further Enacted that the said Clerk so nominated and appointed as aforesaid shall have full Power to rent or hire out as well the Stalls and shambles in the said Market House as the Rooms and apartments over the same and the said Clerk is hereby Directed to keep a fair and Just Account of the Profits arising from such rents and also of all such Fines and Penalties he shall receive by virtue of this Act and apply the same from time to time to the use and Benefit of the said Town according to the Orders or directions of the Justices of Frederick County for the time being for all which Services the said Clerk shall be allowed out of the Public Money belonging to the said Town at the Discretion of the said Justices not exceeding the sum of twenty Pounds Per Annum and the said Clerk may be Removed and displaced by the said Justices at their pleasure and Discretion

p. 88

[His salary.]

[Proviso.]

Provided always and be it Enacted that before any Clerk to be Nominated and appointed as aforesaid shall enter upon his Office he shall be Obligated to take an Oath before some Justice of the Peace for Frederick County Justly truly and impartially to perform the several Duties required of him by this Act and the Several Oaths to the Government appointed by Law and Subscribe the Oath of Abjuration and repeat and Sign the Test

[In case of Death the Justices to appoint some other Person.]

And be it further Enacted that in case of the Death of any Clerk of the said Market to be Nominated or appointed by the Justices of the said County Court immediately thereupon or as soon as may be any three or two Justices shall Nominate and appoint some other person duly qualified as aforesaid to be Clerk until the next County Court then next ensuing who shall have full power and Authority as Clerk of the said Market in every case aforementioned.

[Every person nominated to enter into Bond for the faithful Discharge of his Duty.]

And be it further Enacted that every person so nominated and appointed as Clerk of the said Market shall before he takes on himself the Execution of the said Office Enter into Bond with two Sufficient Sureties in the Sum of One hundred pounds Current Money Payable to the Lord Proprietary his Heirs and Successors for the time being with Condition thereto that he will well and faithfully Discharge his Duty agreeable to the Act of Assembly entitled "An Act to establish a Market in Frederick Town in Frederick County and for the Regulation of the said Market" and will render to the Justices of Frederick County a just and true Account of all such

Monies as he shall receive by Virtue of his Office and that he will pay and Apply such Monies so received as the Justices aforesaid for the time being shall Order and Direct

Liber R. G.  
1770

And be it further Enacted that it shall not be Lawful for any person what ever wilfully to lead ride or drive into the aforesaid Market House any Horse Gelding Mare or Colt or to kill or Slaughter in the said House any Beast of the Beef, Sheep or Hog kind under the Penalty of five Shillings Current Money of this Province for every such Offence to be received paid and applied in manner and form as in this Act before Directed

[Offences  
here specified  
subject to  
Penalty.]

And be it further Enacted that the Penalties in this Act mentioned shall be recovered by and in the Name of the Clerk of the Market of the said Town to be by him accounted for and applied to the Public and Benefit of the said Town

[Penalties  
how to be  
applied.]

p. 89

This Act to continue three Years and unto the end of the next Session of Assembly which shall happen after the Expiration of the said three Years

[Continu-  
ance.]

By the Lower House of  
Assembly 13.<sup>th</sup> Nov<sup>r</sup> 1770  
Read & Assented to

Signed by Order  
Jno Duckett Cl. Lo. Ho

On behalf of the right  
Honourable the Lord  
Proprietary of this Pro-  
vince I Will this be a Law  
Rob.<sup>t</sup> Eden.

By the Upper House of  
Assembly 13.<sup>th</sup> November  
1770 Read and Assented  
to

Signed by Order  
U Scott Cl. Up. Ho

the great seal in  
wax appendant

No. 6 An Act to remedy the Omission of the Enrollment of a Deed of Bargain and Sale from Thomas Collier to Thomas Lightfoot, William Lightfoot Abraham Mitchell, Walter Franklin and Samuel Franklin

Whereas it appears to this General Assembly upon Examination into the truth of the Several Facts set forth in the Petition of Thomas Lightfoot William Lightfoot, Abraham Mitchell, Walter Franklin and Samuel Franklin, That Thomas Collier late of Worcester County by Deed of Bargain and Sale duly executed and Acknowledged before Benton Harris and John Selby two of the Justices of the peace for Worcester County aforesaid Bearing Date on or about the twenty ninth Day of March in the year of our Lord one thousand Seven hundred and Sixty eight for a Valuable Consideration to him the said Thomas Collier paid by the same Thomas Lightfoot William Lightfoot, Abraham Mitchell, Walter Franklin and Samuel Franklin did grant bargain sell and Convey unto the same Thomas Lightfoot, William Lightfoot, Abraham Mitchell, Walter Franklin & Samuel Franklin and their Heirs To have and to hold to them their heirs and Assigns in Common four pieces or parcels of Land one called Colliers Advantage one other called Partnership one other

[A Private  
Act.]

Liber R. G. called Addition to Partnership and the other Adams Folly all Lying  
 1770 to the Eastward of the line lately run to divide the Province of Maryland from Pennsylvania That the same Thomas Lightfoot William Lightfoot Abraham Mitchell Walter Franklin & Samuel Franklin, ever since the Execution of the Deed aforesaid have been and now are in the Actual and sole Possession of the said Lands under and by Virtue of the said Deed and have made many Valuable improvements thereon and that the aforesaid Thomas Collier hath since Removed into one of the Carolina's,

And Whereas it has been represented to this General Assembly that the aforesaid Deed hath not been recorded and enrolled agreeable to an Act of Assembly of this Province in such case made and Provided and that the same Thomas Lightfoot, William Lightfoot, Abraham Mitchell Walter Franklin and Samuel Franklin are apprehensive their title to the same Lands is therefore Defective by Reason whereof it is prayed that an Act may pass to remedy such defect in the said Conveyance

Be it therefore enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the said Deed of Bargain and Sale from the aforesaid Thomas Collier to the same Thomas Lightfoot William Lightfoot Abraham Mitchell Walter Franklin and Samuel Franklin and their heirs shall to all intents and Purposes be deemed and Taken to be effectual in the Law to Convey the Estate and interest of the aforesaid Thomas Collier of in and to the Lands therein mentioned agreeable to the true intent and meaning of the said Deed any Omission of Recording and Enrolling the same Deed according to the Directions of an Act of Assembly of this Province to the contrary in any wise notwithstanding

Provided the said Deed be enrolled among the Land Records of Worcester County aforesaid by the Clerk of that County who is hereby Authorized and required to enroll the same upon the Application of the same Thomas Lightfoot William Lightfoot Abraham Mitchell, Walter Franklin and Samuel Franklin or either of them within Six Months from and immediately after the end of the present session of Assembly

By the Lower House of  
 Assembly 14.<sup>th</sup> Nov<sup>r</sup> 1770  
 Read & assented to  
 Signed by Order  
 Jn<sup>o</sup> Duckett Cl. Lo. Ho

On behalf of the right  
 Honourable the Lord  
 Proprietary of this Prov-  
 ince I Will this be a Law  
 Rob.<sup>t</sup> Eden

By the Upper House of  
 Assembly 14.<sup>th</sup> November  
 1770 Read and Assented  
 to

Signed by Order  
 U Scott Cl. Up. Ho.

the great seal in  
 wax appendant



No. 7 An Act for the Establishment of a Chapel of Ease in Saint Peters Parish in Talbot County Liber R. G.  
1770

Whereas it is represented to this present General Assembly that a [Preamble.]  
Chapel was erected several Years past in Saint Peters Parish by the Voluntary Contribution of Sundry religiously disposed Persons for the Convenience of many of the Inhabitants of the said Parish who live at a great distance from the Parish Church that the said Chapel was never Compleatly finished and is now much out of repair and likely to fall to ruin unless Speedily repaired and thereupon it was prayed that the said Chapel might be made Parochial and the Necessary Expences attending the repairing and Supporting the same be defrayed in the usual manner by Assessment.

Be it therefore Enacted by the right Honourable the Lord Proprietary by and with the Advice and consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the said Chapel of Ease shall be hereafter Deemed and taken to be Parochial and that the Rector of Saint Peters Parish aforesaid for the time being shall and he is hereby required to perform divine Service there every third Sunday and that the said Chapel shall be repaired and Supported at the Expence of the Parishioners of said Parish by Assessments to be made on the Taxable Inhabitants thereof and collected and paid in the same manner as Parish Assessments have usually been collected and paid for collecting whereof the Sheriff shall be allowed five per centum without any Reduction. p. 91

And Be it further Enacted That the Justices of Talbot County shall and they are hereby Authorized and required upon Application made by the Vestrymen and Church Wardens of said Parish to Assess and Levy on the Taxable Inhabitants thereof such sums of Tobacco as may be necessary from time to time to repair and support such Chapel of Ease not exceeding in any one year the sum of Ten Pounds of Tobacco Per Poll for that and other Parish Assessments [The Justices of Talbot County may Assess, from Time to Time, 10 lb. of Tobacco per Poll for the Repair and Support thereof.]

By the Lower House of  
Assembly 16<sup>th</sup> Nov<sup>r</sup> 1770  
Read and Assented to  
Signed by Order  
Jn.<sup>o</sup> Duckett Cl Lo. Ho

On behalf of the right  
Honourable the Lord  
Proprietary of this Province I will this be a Law  
Rob.<sup>t</sup> Eden.

By the Upper House of  
Assembly 16<sup>th</sup> November  
1770 Read and Assented  
to  
Signed by Order  
U Scott Cl: Up. Ho.

the great seal in  
wax appendant

No. 8 A Supplementary Act to the Act entituled an Act for the Relief of the Poor within the Several Counties therein mentioned—

Whereas it is represented to this General Assembly that the Money arising from the fifteen Pounds of Tobacco per Poll already assessed and Levied on the Taxable Inhabitants of ffredrick County in the [Preamble  
reciting the  
Disposal of  
Part of the  
15 lb. of  
Tobacco per  
Poll assessed

Liber R. G. 1770  
 by Virtue of  
 a former  
 Act.] Years Seventeen hundred and Sixty eight and Seventeen hundred and Sixty nine by Virtue of the Act of Assembly entituled "An Act for the relief of the Poor within the Several Counties therein mentioned" has not only been Sufficient for the Purchasing of Land and erecting and finishing good and convenient Houses and Dwellings for the reception of the Poor of that County and of such Vagrants, Beggars Vagabonds and other offenders as may be Committed by Virtue of that Act but enough of the said Assessments still remains to Purchase for them Sufficient Beds, Bedding, Working-Tools Kitchen Utensils, Cows, Horses and other Necessarys and also to defray the Charge of their Maintenance Purchasing Provisions and other Necessarys for use and Labour of paying a Doctor for his Salary and Medecines of Providing Men and Women Servants and of Purchasing Materials for the use and Employment of all the Poor and others who may be able to work and who may be Committed by Virtue of the said Act

p. 92 [After deducting the Expences already incurred, all the Money and Tobacco remaining, the Trustees to apply to the same use &c. as they might apply the Tobacco which was to have been assessed in 1771.] Be it therefore Enacted by the right Honourable the Lord Proprietary by and with the Advice and consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That after Deducting out of the said Two Assessments made in the Years Seventeen hundred and Sixty eight and Seventeen hundred and Sixty nine the expences which have already incurred in Purchasing the said Land and Erecting Building finishing and Completing the said Houses and Dwellings and also the expences which may incur in buying and Purchasing Sufficient Beds, Bedding Working Tools, Kitchen Utensils, Cows Horses and other Necessarys the Trustees for the Poor of Frederick County for the time being or the Major part of them shall be and are hereby empowered and required to receive and apply all the Money and Tobacco which shall remain of the same two Assessments as soon hereafter as Conveniently may be to and for the same use Benefit and Charge as they might receive and apply the Tobacco which by the said Act was to have been Assessed and Levied on the Taxable Inhabitants of the said County at the time of Laying the said County Levy in the Year Seventeen hundred and Seventy one—

[The Justices of Frederick County, on application of the Trustees, to assess 10 lb. of Tobacco per Poll in 1770 and 1771, and applied as by the aforesaid Act, is directed,&c.] And be it further Enacted that the Justices of Frederick County Court for the time being shall and they are hereby Authorized and empowered upon the Application of the said Trustees for the time being or the Major part of them and not otherwise to assess and Levy on the Taxable Inhabitants of the said County at the time of Laying their County Levy a Quantity not exceeding Ten Pounds of Tobacco by the Poll on each and every of the Taxable Inhabitants of the said County in each of the Years Seventeen hundred and seventy and seventeen hundred and Seventy one together with the Sheriffs Salary of five Per Cent for Collecting the same and no further or other Assessments shall be made by the same Justices by

virtue of the said Act which said Assessments to be made as aforesaid in virtue of this Act shall be Collected Levied accounted for and paid to the said Trustees in the same manner as the Assessments made in Virtue of the said Act were to have been Collected Levied accounted for and paid and shall be applied by the said Trustees for the time being or the Major part of them to and for the same use Benefit and Charge as they were directed by the said Act to apply the Tobacco which by the said Act was to have been Assessed and Levied in the Year Seventeen hundred and Seventy one any thing contained in the said Act to the Contrary in any wise notwithstanding

Liber R. G.  
1770

p. 93

By the Lower House of  
Assembly Nov.<sup>r</sup> 16.<sup>th</sup> 1770  
Read & Assented to  
Signed by Order  
Jn<sup>o</sup> Duckett Cl. Lo. Ho

On behalf of the right  
Honourable the Lord  
Proprietary of this Pro-  
vince I will this be a Law  
Rob.<sup>t</sup> Eden.

By the Upper House of  
Assembly 16<sup>th</sup> November  
1770 Read and Assented  
to  
Signed by Order  
U Scott. Cl. Up. Ho

the great seal in  
wax appendant

No. 9 An Act for the relief of certain Prisoners in the Several Jails therein mentioned

Whereas James Gill and Elizabeth Phillips of Prince Georges County, Allen Davis, John Mankin, William Green Peter Rigg of Charles County Phillip Tanner, William Cargill James White John Chamberlaine James Kennedy, Abraham Weagly, Frederick Deplants Henry Sickles Valentine Shriner, John Balser, Frederick Becherer William Hilleary of Frederick County Robert Spickernal of Calvert County Thomas Cooke Jun.<sup>r</sup> John Bailey Elias Smith John Driskell Luke Mattingly Barbara Richardson, Henry Cary William Mitchell of Saint Marys County Justice Hoshell and Samuel Smith of Ann Arundel County John Ward son of Henry John Haddaburch Borden Wilcox of Cecil County James Guffy William Potter Thomas Treadway Levi Pottle Francis Casey Joshua Allender Basil Francis William Walsh James Henderson Joseph Miller John Brown William Lock Moses Barney and Mayberry Holmes Jun.<sup>r</sup> of Baltimore County James Butler Isaac Parsons John Benny of Kent County John Harrison Dorchester County Fenton Catten John Gornwell Mark Hitchens Jesse Anderson James Morns George Benson Thomas Jones Edward Pettit Thomas Wingate of Worcester County James White Mathew Errickson Aaron Yoe Peter Green Henry Thompson William Sylvester Charles Clymer of Queen Anns County appear to this General Assembly to have respectively continued Prisoners for Debt in the Custody of the Sheriffs of the respective Counties aforesaid for a Considerable time past and Still continue in the like Deplorable Circumstances not being able to redeem their Bodies with all the Estate or Interest they have in the World which they would readily surrender up and part with to their Several and re-

[Preamble,  
with the  
Names of  
the Prisoners  
relieved by  
this Act.]

Liber R. G. 1770  
 spective Creditors if they would accept of the same and Grant the said Petitioners their Liberty which seems so unlikely for them to obtain that (unless relieved by a Particular Act to be passed in their favour) they must inevitably continue Prisoners for Life.

p. 94  
 [Prisoners to be discharged on delivering up their effects on Oath.]  
 Be it therefore Enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same, That in case the said Prisoners shall Deliver up and Surrender or Cause to be Delivered up and Surrendered to the Sheriffs of the Respective Countys aforesaid in the Presence of two Justices of the Peace of the Counties aforesaid whom the said Sheriffs are hereby required to summon at the request of the said Prisoners at some Convenient time after the end of this session of Assembly all their Real and Personal Estate either in Possession Reversion Remainder or in trust or in or unto Which they have any Claim or interest whatsoever and likewise convey Assign Transfer and make over unto the Sheriffs respectively for the use of the said Creditors all such their Estate Interest or claim as aforesaid after such manner as by the said Sheriffs and by the Major part of such Creditors or such of them as shall think fitt to direct therein or their Council Learned in the Law shall reasonably devise or require at the Costs and Charges of the Persons who shall claim Benefit thereof so that the said Prisoners be not burthened with any Warrantees thereby other than against themselves or those claiming by from or under them and that the said Prisoners at the time of such their Surrender and transferring their Estate as aforesaid shall take their Solemn Oaths (or Affirmation if Quakers.<sup>t</sup> before the said two Justices aforesaid to the effect following viz.<sup>t</sup> "I AB do Affirm or Solemnly Swear that the Goods Debts & Effects which I have delivered assigned and made over to the Sheriff of County in trust for the use of my Creditors is the whole Estate both Real and Personal of my own in Possession or that I have any title to in the world and that I have not any Estate Goods or Effects of any kind whatsoever left either in Possession Reversion or Remainder (the necessary wearing apparel of my self Wife and Children and Working Tools Excepted) and that I have not directly or indirectly sold Leased or otherwise conveyed disposed of or intrusted all or any part of my Estate thereby to defraud my Creditors or to secure the same to receive or expect any Profit or Advantage thereof so help me God" it shall and may be Lawful for the Sheriffs of the Counties aforesaid to discharge the said Prisoners and Suffer them to go at Large

[To be discharged from future Arrests on Appearance, &c.]  
 And be it further Enacted that if the said Prisoners or any of them shall be arrested or imprisoned on any process sued out on any Judgment or decree obtained against any of them for any Debt Damages or Costs contracted owing or growing due before the End of this Session of Assembly the Court out of which such Process issued



shall and may discharge such Prisoner on Motion And if the said Prisoners or any of them shall be arrested or imprisoned on any process for the Recovery of any Debt Damages or Costs contracted owing or growing due before the end of this Session of Assembly the Court or Justice before whom such Process shall be returned shall and May discharge the Party arrested out of Custody on his or her Common appearance being entered without any Special Bail Provided that the discharge of the said Prisoners or any of them shall not acquit any other person from such Debt Damages or Cost or any part thereof but that all such persons shall be answerable for the same in such manner as they were before the Passing this Act—

Liber R. G.  
1770  
p. 95

Provided always and be it Enacted that Notwithstanding the discharge of the said Prisoners or any of them all and every Debt or Debts due and owing from him her or them and all and every Judgment had or Decree obtained against him her or them shall stand and be good and Effectual in Law to all intents and purposes against the Lands Tenements and Hereditaments Goods and Chattels of him her or them and which he she or they or any other Person in trust for the use of him her or them had at the time of the Discharge of the said Prisoners or any of them or which he she or they at any time hereafter shall or may be any ways seized or Possessed of or interested in to his her or their own use or in his her or their own proper right either in Law or equity (except the Wearing Apparel Bedding and Working Tools of him her or them not exceeding the sum of Ten Pounds Current Money) And it shall and may be Lawful for any of their Creditors their Executors Administrators or Assigns to take out new Execution or Executions without any Scire facias Previous thereto against the Lands Tenements or other Hereditaments Goods and Chattels of the said Prisoners or any of them (except as before Excepted) for the Satisfaction of his her or their Debts in such sort manner and form as he she or they might have done if the said Prisoners or any of them had not been taken in Execution or discharged by Virtue of this Act

[Debts to  
stand good  
in Case, &c.]

And be it further Enacted by the Authority aforesaid that if any Action of Escape be brought against any sheriff or any suit or Action against any Justice or Justices for their Performing their Duty in Pursuance of this Act he or they may Plead the General issue and give this Act and the Special Matter in Evidence and if the Plaintiff be Nonsuit or Discontinue his Action or Verdict pass against such Plaintiff or Judgment upon Demurer the Defendant shall have and Recover double Costs

[Actions of  
Escape.]

Provided also that nothing in this Act shall Extend or be construed to extend to bar any Creditor or Creditors of the Before mentioned Prisoners from having and maintaining any Action of Escape against any Sheriff who hath Permitted any Escape before the making this Act

[Proviso, as  
to Escape.]

p. 96

Liber R. G.

<sup>1770</sup>  
[In case of  
Perjury.]

Provided Nevertheless that in case any of the said Prisoners shall at any time after making such Oath or Affirmation as aforesaid be convict of wilful and corrupt Purjury thereupon or of a Wilful Breach or Noncompliance with the Tenor of such Oath or Affirmation as aforesaid that then the said Prisoner shall upon such Conviction as aforesaid be Wholy deprived of any Benefit intended to him her or them by this Act and shall from thenceforth be Liable to be prosecuted for any Debt or Demands whatsoever in the same Manner as if this Act had never been made anything to the Contrary Notwithstanding.

[Sheriffs  
Fees to be  
First Paid.]

Provided also that the respective Sheriffs of the Counties aforesaid shall be first paid and Satisfied for their Imprisonment Fees before any Creditor or Creditors shall have or receive any share or part of the Estates of the said Prisoners respectively or of the Produce thereof

[Notice to  
be given of  
the Sale of  
the Prison-  
ers Estates,  
&c.]

And be it further Enacted that after Public Notice given by Advertisements set up at the Court House-Door of the County thirty Days at the least of the Sale of any of the said Prisoners Lands and five Days at the Least of any of the said Prisoners other Estate the said Sheriff to whom any of the said Estates Real or personal shall be Surrendered and delivered up in pursuance of this Act shall set up and expose such Estates to sale by way of Public Vendue in the Presence of one Justice of the Peace and the Produce arising by such sale shall be by the said Sheriffs in manner following paid and Satisfied that is to say after Satisfaction of the aforesaid Imprisonment Fees that the Estate and Interest of the aforesaid Prisoners respectively upon which their Judgment Creditors or any Claiming or that shall claim under them by Assignment or otherwise have or shall have any lien or the Produce thereof shall be in the first place after Satisfaction of the Sheriffs as aforesaid applied to the Discharge of the said Creditors according to the Order and Priority of their Judgments and the Lien arising therefrom and that the Residue of the Estate and interest of the said Prisoners respectively or the Produce thereof shall be distributed among all their Creditors that shall apply therefor within thirty Days after the aforesaid Sale in equal Portion to their Demands.

[Bonds, &c.  
belonging to  
the Prisoners  
to be as-  
signed to the  
Sheriff.]

p. 97

And be it further Enacted that all the Accounts Bonds Notes and other Demands which any of the said Prisoners have against any person or persons whatsoever shall be by the said Prisoner or Prisoners assigned to the Sheriff in whose Custody such Prisoner or Prisoners shall be at the time of their discharge and that such Sheriff or Sheriffs shall and may maintain an Action or Actions on such Demands as Assignee of such Prisoner or Prisoners in his Own Name

[Proviso.]

Provided always that such Creditor or Creditors require and Demand such Sheriff to sue and give to such Sheriff a Bond to indem-

nify him against any Charge that may Accrue to him by means of any such Suit and in Case of Recovery that then the Sheriff make distribution of what shall be recovered to the Person or Persons giving him such Security as aforesaid. Liber R. G.  
1770

And be it further Enacted by the Authority aforesaid that if any of the Persons intended to be Relieved by this Act and who shall Choose to take the Benefit thereof are and shall in the Opinion of two Justices of the Peace of the County where the Party is a Prisoner be of Sufficient ability of Body to Labour such Person or Persons not having a Wife or Child or Children under twelve Years of Age shall be and are hereby Obligated to serve for a time not exceeding five Years to any person or persons who are or shall be inclined to Purchase the time of Servitude of such Debtor or Debtors and that the respective sheriffs in whose Custody the aforesaid Debtors or any of them are be and are hereby Authorized and Obligated to summon two Justices of the Peace in the respective Counties at the request of the said Prisoners as soon as Conveniently may be after the end of this Session of Assembly and after giving five Days Notice at the Court House of the Respective Counties of the intended Sale of such Debtor or Debtors expose to sale in the Presence of the said Justices Such Debtor or Debtors and the time of his or their Servitude to the Highest Bidder and the Money arising from such Sale shall be as Effects of such Debtor or Debtors in the hands of the respective sheriffs subject as aforesaid to a distribution in manner aforesaid and the sale and service of such Debtor or Debtors as aforesaid is hereby Directed to be taken as full and sufficient acquittal and discharge against all Debts and from such Debtor or Debtors before such sale Provided that in case it shall appear to the Satisfaction of the said Justices that any of the said Debtors have Offered since their Confinement to make satisfaction to their Creditors by Servitude and that their Creditors have refused to accept the same that the time such Debtors have been confined in Prison shall be deemed and Taken as part of the aforesaid five Years and that they shall be Obligated to serve only for such time as will compleat five Years from the Day of such Offer of Servitude and that in case any such Single Persons as aforesaid have been confined in Prison for five Years or any Longer time that the said Persons so Confined shall be Discharged upon the same Terms and in the same manner that Persons having Families are by this Act Directed to be discharged. [Prisoners, if single, to be sold for Five Years.]

By the Lower House of  
Assembly 17.<sup>th</sup> Novr 1770  
Read and Assented to  
Signed by Order  
Jno Duckett Cl. Lo. Ho

On Behalf of the right  
Honourable the Lord  
Proprietary of this Province I Will this be a Law  
Rob.<sup>t</sup> Eden.

By the Upper House of  
Assembly 19.<sup>th</sup> November  
1770 Read and Assented  
to  
Signed by Order  
U Scott. Cl. Up. Ho p. 98

the great seal in  
wax appendant

No. 10 An Act to Divide All Saints Parish in Frederick County and to  
 Liber R. G. Erect two new Parishes by the Names of Eden Parish and Fred-  
 1770 erick Parish

[Preamble.] Whereas all Saints Parish in ffredrick County is very Large  
 extending two hundred Miles or upwards in Length and in some  
 Places upwards of fforty Miles in Breadth containing Six thousand  
 one hundred and fourteen Taxables and increasing very fast so that  
 it is Impossible for one incumbent to perform the Duties of a  
 Minister therein

[All-Saints Parish to be divided into Three Dis- tricts, &c.] Be it therefore Enacted by the right Honourable the Lord Pro-  
 prietary by and with the Advice and Consent of his Lordships Gov-  
 ernor and the Upper and Lower Houses of Assembly and the  
 Authority of the same that the said Parish of All Saints in ffredrick  
 County Shall be immediately divided into three Several Portions  
 or districts as nearly convenient as the Natural Situation will Admit  
 so as that each District shall have nearly an Equal Number of Tax-  
 ables by Messieurs William Luckett, Jonathan Wilson, Joseph Wood  
 Normand Bruce Thomas Bowles Samuel Beall Evan Shelby, James  
 Smith and Joseph Smith or the Major Part of them who are hereby  
 Authorized and impowered to make such Division and when so made  
 shall and are hereby required to return a Certificate thereof express-  
 ing therein the Limits and Boundaries of each District under their  
 Hands and Seals to the Justices of the County Court of the said  
 County there to be Recorded as a Perpetual Evidence of the Bound-  
 aries and Limits of such Districts or Parishes

[The Church or a Chapel of Ease to be in each District.] And be it Enacted that the said Division shall be so made that the  
 Parish Church of the said All Saints Parish shall be in one District  
 one of the Chapels of Ease belonging to the same Parish in another  
 of the said Districts and the other Chapel of Ease belonging to the  
 said Parish in the other of the said Districts

[On the Death or Removal of B. Allen, the Three Dis- tricts to be district Parishes;] p. 99 And be it Further Enacted that immediately upon the Death or  
 Removal of Bennet Allen the present Incumbent the said three Dis-  
 tricts shall become and be distinct and Several Parishes according to  
 the Limits and Boundaries by which they shall be Respectively laid  
 out and ascertained as aforesaid and that the District or parish in  
 which the said Church of All Saints Parish shall be shall still retain  
 the Name of and be called All Saints Parish that the District or  
 parish in which the Present Chapel of Ease between Monocacy and  
 Senaca Creek shall be thenceforth called and Known by the Name  
 of Eden Parish and that the district or Parish in which the Present  
 Chapel of Ease between Anti-eatam and Conegocheague shall be shall  
 thenceforth be called and known by the name of Frederick Parish  
 and the Inhabitants of each and every of the said Districts from and  
 immediately after the Death or Removal of the said Incumbent shall  
 have and enjoy all such Benefits Priviledges Powers and Authorities

[and the In- habitants to enjoy the Benefits, Privileges, &c. as other Parishes now have.]



in every respect as the Inhabitants of any other Parish within this Province now have or hereafter may have or Enjoy as Parishioners and each of the said Chapels of Ease shall then be and be deemed to be the Parish Church of the Parish in which the same shall be respectively

Liber R. G.  
1770

And be it further Enacted that the Freeholders of the said New erected Parishes called Eden and Frederick Parishes shall have full and ample Power to meet at their respective Parish Churches aforesaid on the Easter Monday next after the Death or Removal of the said Incumbent and then & there elect and Make Choice of Six Vestrymen and two Church Wardens in and for each of the same Parishes who shall be the Vestrymen and Church Wardens of the said respective Parishes for the ensuing Year and the same afterwards to alter and renew at such times and in such manner as the Laws of this Province do direct and Provide for other Parishes and that the said Vestrymen and Church Wardens of each of the said Parishes shall be Vested with the same Powers Priviledges and Authorities as Vestrymen and Church Wardens of other Parishes within this Province are vested with and shall be Liable and Subject to the same Penalties and Forfeitures and in such manner as the Laws of this Province have Provided in like Cases

[The Freeholders of the said new erected Parishes, after such Death or Removal, are empowered to elect Vestrymen &c.]

By the Lower House of  
Assembly Nov.<sup>r</sup> 21.<sup>st</sup> 1770  
Read & Assented to  
Signed by Order  
Jn<sup>o</sup> Duckett Cl. Lo. Ho

On behalf of the right  
Honourable the Lord  
Proprietary of this Province I Will this be a Law  
Rob.<sup>t</sup> Eden.

By the Upper House of  
Assembly 21.<sup>st</sup> November  
1770 Read & Assented to  
Signed by Order  
U Scott Cl. Up. Ho.

the great seal in  
wax appendant

No. 11 An Act to Enable Nicholas Rogers Infant to demise the Real Estate therein mentioned

Whereas Henrietta Rogers Mother and Natural Guardian of Nicholas Rogers an Infant by her Petition to this General Assembly hath represented that her said Son is Seized in fee of and in two Lots of Land Lying and being in Baltimore Town in Baltimore County distinguished in a Plan of said Town by the Numbers Fifty and Fifty one containing near two Acres of Ground that the Yearly Value of the same is very inconsiderable in their Present State that the said Lots are Adjoining two of the most Public Streets in the said Town and are bounded on the East and South with Lanes or Alleys that the Several Proprietors of the Ground on the East side of south Leine [*sic*] have Added to the Width of said Lane one Perch and half a perch of Ground in Front a Long the same opposite said Lots that if the said Petitioner was impowered to Lay out as an Addition to said Lane a part of said Lots not exceeding one Perch and half a Perch the Value thereof would be thereby greatly in-

p. 100

[A Private  
Act.]

Liber R. G. creased and the Ground fronting on said Lane Lot at an Advance  
1770 Price that if the said Lots were out on Ground Rent it would considerably Augment the Annual Value of her said Infant Sons Estate not less than One hundred and fifty Pounds Sterling that no person being impowered by the last will of the above mentioned Nicholas Rogers her late Husband to make any disposition of said Lotts for the Benefit of her said Infant Son and all Contracts made by infants being Invalid in Law she humbly prayed that an Act might Pass to enable her to Lease the said Lots for that Purpose And for that it appears to this General Assembly that it would be to the Interest of the said Infant who is now of the Age of Seventeen Years or thereabouts if the said two Lotts of Ground were divided into parcels and Let on Ground Rent

Be it therefore Enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that it shall and may be Lawful to and for the said Nicholas Rogers the son by and with the Advice and Consent of the Said Henrietta Rogers to Lay out and Divide the said Lotts into Parts and Portions and after the same shall be so laid out and Divided to Lease and Demise such parts or Portions to any person or persons for such Term or Terms of Years with such Covenants Clauses and Provisions inserted for the Renewment of Such Leases from time to time forever if the same shall be so agreed on and such Other Covenants Clauses and Provisoos as are usual and accustomed  
p. 101 in Leases Made of unimproved Lots within the said Town which said Several Leases shall be made in the Name of the said Nicholas Rogers the Son and the Rent agreed on be reserved and payable to him his heirs & Assigns and the Term Limited to the Lessees named in such Leases shall be as Good and Valid to all intents and Purposes as if the said Nicholas Rogers had been of full age to execute the same

Provided always that the Advice and Consent of the said Henrietta Rogers to every such Lease or Demise be testified by her being a party to and Signing and Sealing the same Lease and that any of the said Leases or Demises shall not burthen the said Nicholas Rogers the son with any Covenant or Assurance for quiet enjoyment of the premises other than from and against himself and all Persons Claiming or to Claim by from or under him and that not less than One hundred and fifty Pounds Sterling be reserved in the Whole on the ground Subject to be Leased or Demised as aforesaid

And be it further Enacted that the said Nicholas Rogers the Son by and with the Advice and Consent of his said Mother shall and may in the Presence of the Commissioners of Baltimore Town or the Major part of them Lay out and Add to the aforesaid Lane or Alley called South Lane so much of the said Lotts not exceeding one

Perch and half a Perch of Ground fronting on Baltimore Street as he shall think fit and Necessary which part so laid out as an Addition to the Width of the said Lane shall be forever a Public Way or Street as fully as if the same had been Originally laid out as such in the said Town And the said Commissioners shall cause the same to be bounded and ascertained with Posts or other Sufficient Marks and shall make or Cause to be made in their Book of Proceedings an entry of such Addition being made to the said Lane and the Width thereof

Liber R. G.  
1770

By the Lower House of  
Assembly 21.<sup>st</sup> Nov.<sup>r</sup> 1770  
Read and assented to  
Signed by Order  
Jn<sup>o</sup> Duckett Cl. Lo. Ho.

On Behalf of the right  
Honourable the Lord  
Proprietary of this Prov-  
ince I Will this be a Law  
Rob.<sup>t</sup> Eden.

By the Upper House of  
Assembly 21<sup>st</sup> November  
1770 Read & Assented to  
Signed by Order  
U. Scott Cl. Up. Ho.

the great seal in  
wax appendant

I do hereby Certify that Reverdy Ghiselin Clerk of the Provincial Court and Secretarys Office of the Province of Maryland this Day Personally appeared before me the Subscriber one of his Lordships the Right Honourable the Lord Proprietary of the Province aforesaid his Counsel of State and made Oath on the Holy Evangels of Almighty God that he Carefully Examined all the Laws contained in this Book from folio 81 to folio 101 with the Original Acts that Passed the Great Seal p. 102

Sworn to this Eighth Day of April 1771

Before W<sup>m</sup> Hayward

The Seal of the Provincial Court is hereto Affixed on  
Behalf of Daniel Dulany Esquire Secretary of Mary-  
land by

SEAL

R Ghiselin Cl Prov.<sup>l</sup> Court & Secry's Office.





## APPENDIX



APPENDIX I

CIRCULAR LETTER PRINTED IN THE MARYLAND  
GAZETTE, MAY 11, 1769

[IN THE SAME ISSUE OF THIS NEWSPAPER NOTICE IS  
GIVEN OF A MEETING OF THE MERCHANTS, TRADERS, AND  
GENTLEMEN OF ANNE ARUNDEL COUNTY, AT THE COURT  
HOUSE, IN ANNAPOLIS, THE FRIDAY PREVIOUS TO THE  
MEETING REFERRED TO IN THE CIRCULAR LETTER]

To the Merchants, Traders, and Gentlemen of the Province of  
Maryland.

Annapolis, May 9, 1769

Gentlemen,

Having been desired by the Gentlemen of the different Counties,  
to appoint a Day of general Meeting of the Merchants, Traders, and  
Gentlemen of the Province, to consult on the most effectual Means  
to promote Frugality, and lessen the future Importation of Goods  
from Great-Britain;

We therefore have appointed a Meeting, at this City, to be  
held on Monday the 22d Instant, when we hope there will be a  
Committee sent from every County in the Province, that the Affair  
may be conducted with that Steadiness and Unanimity, which the  
present Exigency requires.

We are, Gentlemen,

Your most humble Servants,

JAMES DICK & STEWART

NICHOLAS MACCUBBIN

CHARLES WALLACE

WILLIAM STEWART

APPENDIX II

ANNAPOLIS MEETING PLANNED IN ORDER TO  
AGREE ON A GENERAL RESOLUTION OF  
NON-IMPORTATION MAY 23, 1769

[THIS WAS THE RESULT OF THE MEETING MENTIONED  
IN APPENDIX I. THE MARYLAND GAZETTE FOR MAY 25,  
1769, PRINTED A NOTICE OF THE JUNE MEETING REFERRED  
TO IN THE BROADSIDE WHICH FOLLOWS]

Annapolis, May 23, 1769.

Sir,

Yesterday there was a Meeting of a considerable Number of the  
principal Inhabitants of this County, when the Plan of an Associa-

Broadside,  
Md. Hist.  
Soc.

tion was formed, a Copy whereof we inclose you, which is expected to be signed very generally by every Degree of the People here.—At our Meeting, Copies of similar Resolutions, from some other Counties, were communicated; and a Meeting of Committees, from each County, is appointed to be at Annapolis, the 20th of next Month; when, 'tis hoped, the Sentiments of the whole Province, will so well coincide, that a general Resolution of Non-Importation, except as to a few coarse necessary Articles, may be formed.

We are particularly desired to request, that the distributing Copies of our Association-Paper, may not be looked on in any other, than, the true Light, that of shewing the People of Anne-Arundel County are solicitous of joining in Resolutions to preserve the Constitutional Rights.

Your County is earnestly intreated to consider the Importance of the Object, and to send some of your Gentlemen to the General Meeting.—Hoping, Sir, for your best Assistance, in promoting a general Concurrence of the Inhabitants, in Resolutions preservative of the common Liberty,

We are

Your most obedient Servants,

B. T. B. Worthington

James Dick

John Dorsey

Cha.<sup>s</sup> Carroll

#### APPENDIX III

#### RESOLUTION OF NON-IMPORTATION

JUNE 22, 1769

[THIS RESOLUTION WAS THE RESULT OF THE MEETING  
HELD IN ANNAPOLIS WHICH IS REFERRED TO IN APPEN-  
DIX II. SEE INTRODUCTION P. xi-xii]

Annapolis, (in Maryland) June 22, 1769.

Tract, Md.  
Hist. Soc.  
MF 184  
L. 79

We, the Subscribers, his Majesty's loyal and dutiful Subjects, the Merchants, Traders, Freeholders, Mechanics, and other Inhabitants of the Province of Maryland, seriously considering the present State and Condition of the Province, and being sensible, that there is a Necessity to agree upon such Measures, as may tend to discourage, and as much as may be, prevent the Use of foreign Luxuries and Superfluities, in the Consumption of which, we have heretofore too much indulged ourselves, to the great Detriment of our private Fortunes, and, in some Instances, to the Ruin of Families; and, to this End, to practice ourselves, and, as much as possible, to promote, countenance, and encourage in others, a Habit of Temperance, Fru-



gality, Oeconomy, and Industry; and considering also, that Measures of this Nature are more particularly necessary at this Time, as the Parliament of Great-Britain, by imposing Taxes upon many Articles imported hither from thence, and from other Parts beyond Sea, have left it less in our Power, than in Time past, to purchase and pay for the Manufactures of the Mother-Country; which Taxes, especially those imposed by a late Act of Parliament, laying Duties on Tea, Paper, Glass, &c. we are clearly convinced have been imposed contrary to the Spirit of our Constitution, and have a direct and manifest Tendency to deprive us, in the End, of all political Freedom, and reduce us to a State of Dependence, inconsistent with that Liberty we have rightfully enjoyed under the Government of his present most Sacred Majesty, (to whom we owe, acknowledge, and will always joyfully pay all due Obedience, and Allegiance) and of his royal Predecessors, ever since the first Settlement of the Province, until of very late Time; have thought it necessary to unite, as nearly as our Circumstances will admit, with our Sister Colonies, in Resolutions for the Purpose aforesaid; and therefore, do hereby agree, and bind ourselves to, and with each other, by all the Ties and Obligations of Honour and Reputation, that we will strictly and faithfully observe, and conform to the following Resolutions:

First, that we will not, at any Time hereafter, directly, or indirectly, import, or cause to be imported, any Manner of Goods, Merchandize, or Manufactures, which are, or shall hereafter be taxed by Act of Parliament, for the Purpose of raising a Revenue in America, (except Paper not exceeding Six Shillings per Ream, and except such Articles only, as Orders have been already sent for) but, that we will always consider such Taxation, in every Respect, as an absolute Prohibition to the Articles that are, or may be taxed.

Secondly, That we will not hereafter, directly, or indirectly, during the Continuance of the aforesaid Act of Parliament, import, or cause to be imported, from Great-Britain, or any other Part of Europe, (except such Articles of the Produce, or Manufacture of Ireland, as may be immediately, and legally brought from thence, and also, except all such Goods as Orders have been already sent for) any of the Goods hereinafter enumerated, to wit. Horses, Spirits, Wine, Cyder, Perry, Beer, Ale, Malt, Barley, Pease, Beef, Pork, Fish, Butter, Cheese, Tallow, Candles, Oil, except Salad-Oil, Fruit, Pickles, Confectionary, British refined Sugar, Mustard, Coffee, Pewter, Tin-Ware of all Kinds, whether plain, or painted, Waiters, and all Kind of Japan-Ware, wrought Copper, wrought and cast Brass, and Bell-Metal, Watches, Clocks, Plate, and all other Gold and Silversmiths Work, Trinkets, and Jewellery of all Kinds, Gold and Silver Lace, Joiners and Cabinet Work of all Sorts, Looking-Glasses, Upholstery of all Kinds, Carriages of all Kinds, Ribbons and Millinery of all Kinds, (except Wig-Ribbon) Lace, Cambrick, Lawn, Muslin, Kent-

ing, Gauze of all Kinds, (except Boulting-Clothes,) Silks of all Kinds, (except raw and sewing Silk, and Wig-Cauls,) Velvets, Chintzes, and Calicoes of all Sorts, of more than Twenty Pence per Yard, East-India Goods of every Kind, (except Saltpetre, Black Pepper, and Spices,) printed Linens, and printed Cottons, striped Linens, and Cottons, Check Linens, and Cotton Checks of all Kinds, Handkerchiefs of all Kinds, at more than Ten Shillings per Dozen, Cotton Velvets, and all Kind of Cotton, or Cotton and Linen Stuffs, Bed-Bunts, and Bed-Ticking of all Sorts, Cotton Counterpanes and Coverlids, British manufactured Linens of all Kinds, (except Sail-Cloth,) Irish and all foreign Linens, above One Shilling and Six Pence yer Yard, Woollen Cloth, above Five Quarters wide, of more than Five Shillings per Yard, narrow Clothes of all Sorts, of more than Three Shillings per Yard, Worsted Stuffs of all Sorts, above Thirteen Pence per Yard, Silk and Worsted, Silk and Cotton, Silk and Hair, and Hair and Worsted Stuffs of all Kinds, Worsted and Hair Shags, Mourning of all and every Kind, Stockings, Caps, Waistcoat and Breeches Patterns of all Kinds, Rugs of all Sorts, above Eight Shillings, Blankets, above Five Shillings per Blanket, Mens and Womens ready made Cloaths, and wearing Apparel of all Kinds, Hats of all Kinds, of more than Two Shillings per Hat, Wigs, Gloves, and Mits of all Kinds, Stays and Bodices of all Sorts, Boots, Saddles, and all Manufactures of Leather and Skins of all Kinds, (except Mens and Womens Shoes, of not more than Four Shillings per Pair), Whips, Brushes, and Brooms of all Sorts, Gilt, and Hair Trunks, Paintings, Carpets of all Sorts, Snuff Boxes, Snuff, and other manufactured Tobacco, Soap, Starch, playing Cards, Dice, English China, English Ware, in Imitation of China, Delph, and Stone Ware of all Sorts, (except Milk-Pans, Stone Bottles, Jugs, Pitchers, and Chamber-Pots,) Marble and wrought Stone of any Kind, (except Scythe Stones, Mill Stones, and Grind Stones,) Iron Castings, Ironmongery of all Sorts, (except Nails, Hoes, Steel, Handicraft and Manufacturers Tools) Locks, Frying-Pans, Scythes, and Sickles, Cutlery of all Sorts, (except Knives and Forks, not exceeding Three Shillings per Dozen, Knives, Scissors, Sheep-Shears, Needles, Pins and Thimbles, Razors, Chirurgical Instruments, and Spectacles,) Cordage, or tarr'd Rope of all Sorts, Seans, Ships Colours ready made, Ivory, Horn, and Bone Ware of all Sorts, (except Combs.)

Thirdly, That we will not, during the Time aforesaid, import any Wines, of any Kind whatever, or purchase the same from any Person whatever, except such Wines as are already imported, or for which Orders are already sent.

Fourthly, That we will not kill, or suffer to be killed, or sell, or dispose, to any Person, whom we have Reason to believe intends to

kill, any Ewe-Lamb that shall be yeaned before the First Day of May in any Year, during the Time aforesaid.

Fifthly, That we will not, directly, or indirectly, during the Time aforesaid, purchase, take up, or receive, on any Terms, or Conditions whatever, any of the Goods enumerated in the Second Resolution, that shall, or may be imported into this Province, contrary to the Intent and Design of these Resolutions, by any Person whatever, or consigned to any Factor, Agent, Manager, or Storekeeper here, by any Person residing in Great-Britain, or else where; and if any such Goods shall be imported, we will not, upon any Consideration whatever, rent, or sell to, or permit any Way to be made Use of by any such Importer, his Agent, Factor, Manager, or Storekeeper, or any Person, on his, or their Behalf, any Storé-House, or other House, or any Kind of Place whatever, belonging to us, respectively, for exposing to Sale, or even securing any such Goods, nor will we suffer any such to be put on Shore on our respective Properties.

Sixthly, That if any Person shall import, or endeavour to import, from Great-Britain, or any Part of Europe, any Goods whatever, contrary to the Spirit and Design of the foregoing Resolutions, or shall sell any Goods which he has now, or may hereafter have on Hand, or may import, on any other Terms than are herein expressed, we will not, at any Time hereafter, deal with any such Person, his Agent, Manager, Factor, or Storekeeper, for any Commodity whatever; and that such of us as are, or may be sellers of Goods, will not take any Advantage of the Scarcity of Goods that this Agreement may occasion, but will sell such as we have now on Hand, or may hereafter import, or have for Sale, at the respective usual and accustomed Rates for Three Years last past.

Seventhly, That we will not, during the Time aforesaid, import into this Province, any of the Goods above enumerated for Non-importation, in the Second Resolution, which have been, or shall be imported from Great-Britain, or some Part of Europe, from any Colony, or Province, which hath not entered or shall not, within Two Months from the Date hereof, enter into Resolutions of Non-importation, nor will we purchase, take up, or receive, on any Terms, or Conditions whatever, any such Goods, from any Person, or Persons, that may import the same; nor will we purchase, take up, or receive, on any Terms, or Conditions, any of the said Goods, which may be imported from any Province, or Colony, which has entered, or may enter into such Resolutions, unless a Certificate shall accompany such Goods, under the Hands of a Committee of Merchants (if any) of the Place from whence such Goods shall come, or if no such Committee, then under the Hands of at least Three of the principal Merchants there, who have entered into Resolutions of Non-importation, that such Goods were imported before such Resolution was entered into in such Place. And, that we will not pur-

chase, take up, or receive, on any Terms, or Conditions whatever, after the Expiration of Six Months, from the Date hereof, from any Colony, or Province aforesaid, any of the said enumerated Articles, which have been, or shall be imported from Great-Britain.

Eighthly, We, the Tradesmen and Manufacturers, do likewise promise, and agree, that we will not avail ourselves of the Scarcity of European Goods, proceeding from the Resolutions for Non-importation, to raise, or enhance the Prices of the different Articles, or Commodities, by us wrought up, or manufactured; but that we will sell and dispose of the same, at the usual and accustomed Rates we have done for these Three Years past.

Lastly, That, if any Person, or Persons whatever, shall oppose, or contravene the above Resolutions, or act in Opposition to the true Spirit and Design thereof, we will consider him, or them, as Enemies to the Liberties of America, and treat them, on all Occasions, with the Contempt they deserve; provided that these Resolutions shall be binding on us, for, and during the Continuance of the before-mentioned Act of Parliament, unless a general Meeting of such Persons at Annapolis, as may, at any Time hereafter, be requested by the People of the several Counties in this Province, to meet, for the Purpose of considering the Expediency of dispensing with the said Resolutions, or any of them, not exceeding Four from each County, or a Majority of such of them as shall attend, shall determine otherwise.

Robert Lloyd,  
Michael Earl,  
William Rumsey,  
Joseph Gilpin,  
Benjamin Rumsey,  
Thomas Ringgold,  
Thomas Smyth,  
Edward Tilghman,  
James Hollyday,  
Thomas Wright,  
Matthew Tilghman,  
James Dickinson,  
James Lloyd Chamberlaine,  
Robert Goldsborough, 4th.  
Charles Dickinson,  
James Murray,  
William Ennalls,  
Thomas Muse,  
Peter Chaille,  
William Whittington,  
Abraham Barnes,  
John Eden,

William Thomas,  
John Hanson, jun.  
Walter Hanson,  
Philip Richard Fendall,  
William Smallwood,  
William Murdock,  
Robert Tyler,  
Josias Beall,  
Joseph Sim,  
Young Parran,  
Edward Gantt,  
Charles Grahame,  
Benjamin Mackall, 4th.  
Brice T. B. Worthington,  
James Dick,  
John Dorsey,  
Charles Carroll,  
John Smith,  
Jonathan Plowman,  
Charles Ridgely, jun.  
John Beale Howard.



## APPENDIX IV

LETTERS AND VESTRY PROCEEDINGS OF THE YEAR  
1769 RELATING TO THE REV. PHILIP HUGHES AND  
OTHER COLONIAL CLERGYMEN

[INTERESTING LIGHT IS THROWN ON THE WAY IN WHICH CLERGYMEN IN COLONIAL MARYLAND WERE TRANSFERRED FROM ONE PARISH TO ANOTHER. REFERENCES TO HUGHES CAN BE FOUND IN VOLUME XXXII OF THE *Archives of Maryland* CONTAINING THE PROCEEDINGS OF THE COUNCIL FOR THE YEARS 1761-1770. ALSO SEE INTRODUCTION P. xli]

## A. LETTERS

Sir

I am directed by the Gov.<sup>r</sup> to acquaint you that his Ex<sup>cy</sup> having thought fit to appoint the rev.<sup>d</sup> M.<sup>r</sup> Hughs Rector of Chester Parish, he hath recommended you to the Vestry of Coventry Parish, in Somerset & Worcester Countys, in Order that you may Officiate there, for some Time, as Curate or Reeder, with an Allowance of the whole thirty p Poll, (one Pound of Tob.<sup>o</sup> excepted) during your Residence.

MS Hall of  
Records,  
Black Books,  
X, 72, Calen-  
dar entry  
1425

As his Excellency designs Coventry Parish for another Clergyman, whose Arrival he expects soon, he desires me further to inform you, that you need not run yourself to any Expence with a View of settling your Family there, but that you may expect another Provision to be made for you, as soon as you shall be removed from thence

I am &amp;c

15.<sup>th</sup> July 1769Copy to the rev.<sup>d</sup> M.<sup>r</sup> Mathias Harris

P. S. The inclosed Letter will introduce you to the Vestry of Coventry Parish

\* \* \*

Gentlemen

I am directed by his Ex.<sup>cy</sup> the Gov.<sup>r</sup> to inform you that, out of a sincere Desire to restore Peace & Harmony amongst you, he hath removed the rev.<sup>d</sup> M.<sup>r</sup> Hughs to Chester Parish; as this Measure leaves your Parish vacant, and he doth not intend to appoint you a Rector immediately, his Excellency recommends to you to employ the reverend M.<sup>r</sup> Mathias Harris as a Reeder, for some little Time, until the Arrival of another Clergyman, whose Character & ability, he has the fullest Confidence, will give general Satisfaction to the Parish.

He desires and expects that you will allow M.<sup>r</sup> Harris the whole of the Thirty p Poll (one Pound of Tobacco excepted) from the Time M.<sup>r</sup> Hughs's Removal, whilst he shall continue to Officiate there

I am &c  
US.

15.<sup>th</sup> July 1769

Copy. To the Vestry of Coventry Parish.

\* \* \*

MS Hall of  
Records,  
Black Books,  
X, 73, Calen-  
dar entry  
1426

I Philip Hughs do hereby resign all my Right Title Claim or Interest in or to the Rectory of Coventry Parish & the Advantages or Emoluments arising therefrom as Witness my hand this 15.<sup>th</sup> Day of July 1769

Philip Hughs

\* \* \*

MS Hall of  
Records,  
Black Books,  
X, 74, Calen-  
dar entry  
1427

M.<sup>r</sup> Eden desires D.<sup>r</sup> Scott to prepare and send him today an Induction for M.<sup>r</sup> Hughes to Chester Parish

He begs to know what Sort of a [Letter] he should send with M.<sup>r</sup> Harris to Coventry only to [officiate] till the Arrival of M.<sup>r</sup> Scott from England, after which he means to license him for Kent Island

Annapolis

15.<sup>th</sup> July 1769

Induction made out 15.<sup>th</sup> July 1769

\* \* \*

#### B. CHESTER PARISH, KENT COUNTY, VESTRY PROCEEDINGS, 1769

At a Meeting of a Special Vestry July 21.<sup>st</sup> 1769 at Request The Rev.<sup>d</sup> M.<sup>r</sup> Philip Hughes were Present

Richard Frisby

Luke Griffith

Thomas Smyth

James Wroth

Macall Medford

} Vestry Men      Edw.<sup>d</sup> Beck  
                         Tho:<sup>s</sup> Medford } Church Wardens

The Rev.<sup>d</sup> M.<sup>r</sup> Philip Hughes offered his Induction to this Parish to the Vestry which was Read and postponed Entering untill the Sentiments of a full Vestry. . . .

At a Meeting of a Special Vestry August the 5.<sup>th</sup> 1769 were present

The Rev.<sup>d</sup> M.<sup>r</sup> Matt : Harris

Robert Buchanan

Macall Medford

Thomas Smyth

Edward Beck

Thomas Medford

} Vestry Men

} Church Wardens

[*Editor's Note. The vestry first arranged for paying the cost of painting the church and vestry house. Then they directed the Register to write to the Rev. Mr. Philip Hughes as follows:*]

Reverend Sir

I am Directed by the Vestry to Acquaint you that they have Ordered me to Register your Induction when ever you please to produce it and have given Orders for your Admission into the Church any time when you will Attend. And the Vestry would be glad you would preach at the Church Tomorrow.

Signed p order  
Cha : Groome Reg.<sup>r</sup>

Aug.<sup>st</sup> 5.<sup>th</sup> 1769 }  
To The Rev.<sup>d</sup> M.<sup>r</sup> Philip Hughes }

Agreeable to the Order of last Vestry The Rev.<sup>d</sup> M.<sup>r</sup> Philip Hughes has produced his Induction to this Parish which is Entered as follows Viz.<sup>t</sup> —

August — 7.<sup>th</sup> 1769

Maryland s. s.

Frederick absolute Lord and Proprietary of the Province of Maryland Avalon Lord Baron of Baltimore &c.<sup>t</sup>—  
Robert Eden

To the Reverend M.<sup>r</sup> Philip Hughes sendeth Greeting

We do hereby Constitute and appoint you said Philip Hughes to be Rector of the Church of Chester Parish in Kent County.

To Have hold and enjoy the said Church together with all rights Profits and Advantages whatsoever appertaining to a Minister of the said Parish, and We do hereby require the Churchwardens Vestrymen and all other the Parishioners of the said Parish to receive acknowledge and assist you said Philip Hughes in all matters relating to the Discharge of your Function.

Witness our trusty and well Beloved Robert Eden Esq.<sup>r</sup> Governor and Commander in Chief in and over our said Province, this fifteenth Day of July in the Nineteenth year of our Dominion Anno Domini 1769—

Signed by Order  
UScott. Cl: Con.<sup>c</sup>

I hereby certify that the Rev.<sup>d</sup> Philip Hughes qualified as Rector of Chester Parish, by taking the Several Oaths Directed by Act of Assembly and Subscribing the Test, this 7.<sup>th</sup> Day of Aug.<sup>st</sup> 1769 before

Tho:<sup>s</sup> Smyth

[*Editor's Note. The Society has an original induction, dated Nov. 20, 1769 and signed by Gov. Eden and Scott, which made the*

*Rev. Samuel Sloane rector of the church of Coventry parish in Somerset and Worcester counties. As the wording is similar to the one cited above and the signatures the same, it has not been printed in this appendix.]*

## APPENDIX V

## LETTER FROM GOVERNOR ROBERT EDEN TO WALTER DULANY, MAY 10, 1770

[THIS LETTER, LIKE THE LETTERS AND VESTRY PROCEEDINGS REFERRING TO THE REV. PHILIP HUGHES, GIVES ADDITIONAL INFORMATION ABOUT THE TRANSFER OF CLERGYMEN FROM ONE PARISH TO ANOTHER]

10.<sup>th</sup> May 1770

Dear Sir

MS Dulany  
Papers, Md.  
Hist. Soc.

Inclosed I return you M.<sup>r</sup> Addisons Letters, to whose Freind I propose giving this Parish;—I settled with M.<sup>r</sup> Edmiston yesterday that he is to succeed M.<sup>r</sup> Craddock. When M.<sup>r</sup> Addison was in Town first after my Arrival, I promised him that M.<sup>r</sup> Boucher should have this Living on Edmiston's Removal, who would not accept either of the Vacant ones on the Eastern Shore, or he would have been here long ago.

May [I be]g you to take the Trouble of informing this Gentleman of his Appointment, which I hope will be to his Satisfaction, till such Time as it can be bettered by the Addition of the School, or Removal to a better Parish.

I am Sir

Your obedient h<sup>ble</sup> Serv<sup>t</sup>

Rob.<sup>t</sup> Eden

To The Hon.<sup>ble</sup> Walter Dulany

## APPENDIX VI

## VESTRY PROCEEDINGS, PRINCE GEORGE'S PARISH, ROCK CREEK, FREDERICK COUNTY, 1769

[THE PROCEEDINGS REFER TO THE LOCATION AND TYPE OF CHURCH IT WAS PROPOSED TO ERECT. SEE INTRODUCTION P. xl]

Tuesday Feb. 21.<sup>st</sup> 1769

The vestry met Present the Reverend M.<sup>r</sup> Alex.<sup>r</sup> Williamson Rector John Clagett Zach.<sup>r</sup> Magruder Samuel Turner Robert Owen and Edward Villers Harbin Vestrymen and Ninian Riley and James White Church Wardens and agreed to Petition the next General Assembly for An Act Impowering the Justices of Frederick and



Prince Georges Countys to Levy on the Taxables of Prince Georges Parish the Sum of One Hundred and ninety two thousand pounds of Tobacco for Building a New Brick Church to stand in the same place where the old Church now stands, and agreed that Simon Nicholls have the Liberty of Building a small Gallery at the East End of Rock creek Chaple and that all Private Gallerys which are to be built be furnished by the first day June next—

Also agreed that Thomas Nicholls have the Liberty of Building a small Gallery at the east end of Rock creek Chaple . . .

Tuesday May 9<sup>th</sup> 1769

This day the vestry met Present the Rev.<sup>d</sup> M.<sup>r</sup> Alex.<sup>r</sup> Williamson Rector James Burnes John Clagett & Samuel West Vestrymen and it was this day Resolved in Vestry that instead of Petitioning for one hundred and ninety-two thousand pounds of Tobacco they Now agree to Petition for one hundred and twenty eight thousand pounds of Tob. it being equal to eight Hundred pounds Currency for Building a Church in the same place where the old Church now stands it agreeing most with the Sentiments of the Parishioners as Thomas Nicholls appeared and gave fresh security for the Completing the work which he Contracted for on the seventh day of June 1768 and the vestry agreed that he should have orders for the Ballance of his money being ninety three pounds and Ordered that Simon Nicholls give him Orders.

Tuesday June 13.<sup>th</sup> 1769

This day the vestry met Present the Rev.<sup>d</sup> M.<sup>r</sup> Alex.<sup>r</sup> Williamson Rector John Clagett Edward Villers Harbin Samuel West James Burnes and Samuel Turner Vestrymen James White and Burch Chesher Church Wardens. . .

And it is this day agreed on by the Vestry that Samuel West and Samuel Turner are appointed to Review some defects which appear to be in Rock creek Chapple frame and order such amendments as to them shall [seem] meet as also that Thomas Nicholls keep an Exact acc.<sup>t</sup> of the same which is to be laid before the vestry and it is this day Resolved in vestry that they hereafter meet at R. creek Chapple at all times when the Act of Assembly do not Require their meeting at the Mother Church.

As also the vestry signed a petition to be Presented to the next General Assembly praying for One hundred and Twenty eight thousand pounds of Tob. to Build a new Church in the Same place where the old Church now stands with stone or Brick

*[Editor's Note: Although the petition from Prince Georges parish was presented to both houses of the assembly the request made therein was never enacted into law (see pp. 7, 42, 66)]*

*Better luck attended a petition from Queen Anne parish, in Prince Georges County, for a new church (pp. 20, 80, 188, 194, 272, 285,*

330). In the Vestry Proceedings of Queen Anne Parish, 1705-1773, at p. 332, this relevant entry appears—]

At a Meeting of the Vestry October 14.<sup>th</sup> 1770

Present Mes. <sup>rs</sup> Cap. <sup>t</sup> Thomas Gant	} Mes. <sup>rs</sup> Rich. <sup>d</sup> Duckett
John Duvall	
	Walter Williams

The Vestry being Informed that the parish Petition for a new Church is mislaid or Lost. Ordred that the Clk. send a Copy of Said petition to this Assembly now Sitting

#### APPENDIX VII

LETTER FROM GOVERNOR BOTETOURT, OF VIRGINIA,  
TO ROBERT EDEN, GOVERNOR OF MARYLAND,  
JUNE 24, 1770

[THE LETTER AND ITS EXCLOSURE ARE SELF-EXPLANATORY. SEE PP. 172, 266, 273-274, 276. SEE ALSO INTRODUCTION P. XXVI-XXVII]

Williamsburg June 24.<sup>th</sup> 1770

S.<sup>r</sup>

MS Vertical  
File, Md.  
Hist. Soc.

The inclosed account of vessels stranded near Cape Henry since the 1.<sup>st</sup> of September 1769, has engaged the House of Burgesses of this Dominion to beg of me earnestly to intreat your Excellency to recommend to your Assembly in the strongest manner to join this Colony in erecting and supporting a Light House on Cape Henry, as they are convinced that it will conduce to securing the extensive Trade carried on by both Colonies up the Bay of Chesapeake—

The Object is great and worthy the attention of both Countries, and happy will it be for us should a Measure of such importance to our States be brought to perfection during the course of our Residing in this flourishing Land—

I depend upon every assistance in your power and have the honour to be, S.<sup>r</sup>

Your Excellency's most Obedient

Humble Servant

Botetourt

His Excellency Governor Eden

\* \* \*

An Acc.<sup>t</sup> of Vessels stranded within, and near Cape Henry since the first of September 1769.

Ship Randolph, Nich.<sup>s</sup> Andrew, Master, from Bristol bound to Maryland, with European Goods, Loss, £12,000

A Brigantine belonging to Ireland from the West Indies, bound for Maryland

Ship Gorrell, Capt.<sup>n</sup> Ford from Liverpool bound to Norfolk, Loss at least £15,000

M.<sup>r</sup> Galloway's Ship of Maryland, drove ashore opposite to the Mouth of Rappahannock, but got off with the loss of the greatest part of her Cargo, which was Tobacco

A Sloop belonging to Capt.<sup>n</sup> Newton from the West Indies, lost to the Southward of the Capes from the West Indies.

A Ship—Nicholson, Master, from Britain bound to Maryland; her Value, or from what Port, cannot be ascertained, as the Gentleman who could have done it, is not here.

Besides these, many others of smaller Acc.<sup>t</sup> All or greatest part of which in all probability would have been saved by a Light-house, as all were Stranded in the Night.

## APPENDIX VIII

LETTER FROM JOHN DONCASTLE TO UPTON SCOTT,  
CLERK OF THE UPPER HOUSE. MAY 14, 1771

[ENCLOSES A LETTER DATED APRIL 22, 1770, WRITTEN BY SHERIFF RICHARD LEE JR. TO DONCASTLE'S SON. BOTH LETTERS REFER TO PERSONS MENTIONED IN THIS VOLUME AND ALSO IN VOL. XXXII OF THE *Archives*. SEE ALSO INTRODUCTION P. xxxiv-xxxv]

May 14 1771 Newkent County

Sir

this day I receivd youre Letter dated March 31 1770 be plesed to informe the Governor and Hon<sup>bl</sup> the Counsell that nothing Should have hindered mee attending there Honors had Whiping Dick Sent mee youre Letter I have Inclosed hiis Letter to my Son to Maj<sup>r</sup> Jenifer and Desired him to Lay it before the Counsell I was then where I now ham [*sic*] at my Brothers and if hee had Intended I should apeare hee might have given mee timeley notice it would have been greate Satisfackshion to mee to have Showd my frost bitten Legs and have broght William Wright to have Showed his back and Sides how Barberouseley hee was whipt by a Negro by the Sherifs order and how his mother Stud on the Steps with a Candle in her hand to See that Barberos Swine [?] his Back and my legs will be moneyments of the Lee Creweltey Inclosed is a copley of ould Lee Litter [letter?] to my Sun

MS Hall of  
Records,  
Black Books,  
VIII, 52,  
Calendar  
entry 1437

\* \* \*

Sir

Ap<sup>l</sup> 22 1770

the Sherriff of Charls is going to Annapolis desires that you will give from under youre hand, that hee delivered the Letter from the

Clark of the Counsell to youre Father and Menshon the day of the month where on hee delivered the matter is put of [off?] then the 8 of may Sighned Rich<sup>d</sup> Lee this is a trew Coppey of ould Lee Letter the oregonall I have and shall keep and when youre Assembly meet I am Determined to atend in Annapolis.

I am y<sup>r</sup> Humble Sert  
John Doncastle

[To Upton Scott  
Annapolis]

## APPENDIX IX

A BILL ENTITLED AN ACT TO REDRESS THE EVILS  
ARISING FROM THE VARIATION OF THE COM-  
PASS IN SURVEYING LANDS. OCT. 31, 1770

[THIS BILL, LIKE THE ONE IN APPENDIX X, WAS  
NOT ENACTED. SEE INTRODUCTION P. xxxii]

Tract. Md.  
Hist. Soc.  
Bound with  
Votes and  
Proceedings  
Nov. 1770;  
also printed  
in Maryland  
Gazette  
Dec. 13, 1770

Whereas it appears to this General Assembly, that there hath been for many Years past, a Westerly Variation of the Compass, and that it is found, by Experiments, that the said Variation hath been, for at least Forty Years past, and still is, decreasing, or that the Direction of the Needle hath inclined and approached, and still doth incline and approach towards the true North Point, at about the Rate of Three Minutes in One Year, or One Degree in Twenty Years; by Means whereof, if the Needle is alone regarded, every Survey will be continually changing its Place, and no Tract of Land heretofore surveyed within this Province, can be again surveyed or run out, agreeable to its ancient Location; from whence great Contentions must arise among the People of this Province, and Landed Property be rendered altogether precarious: For Remedy, whereof, and the better to ascertain the true Situation of any Tract of Land, according to the original running or laying out thereof;

Be it enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Decrease of Variation or Inclination, and Approach of the Needle, from the Westward towards the true North Point, shall be estimated and taken, to have been, for at least Forty Years past, at the Rate or Quantity of Three Minutes in every One Year, or One Degree in every Twenty Years; and that, in running the Lines or Courses of all Lands in this Province, surveyed and laid out within Forty Years next before the Time of the first Experiment and Observation of the Variation, by this Act directed, so far as the Limits of such Tract, or Tracts of Land, depend on Course and Distance only, there shall be an Allowance made for Variation,



at the Rate above-mentioned, according to the Length of the Time between the Date of the Certificate of each respective Survey, and the Date of the first Experiment and Observation of the Variation by this Act directed as aforesaid; and from and after the said first Experiment and Observation, a farther Allowance shall be made, at such Rate as the Needle shall be found to vary, or to have varied, from the Direction it had at the Time of the said first Experiment and Observation: That is to say, in running the Line and Courses of all such Lands, the Instrument by which they are run, shall always be directed to the Left Hand of the Courses mentioned in the Certificate, or Patent, so many Degrees and Minutes, as such Allowances shall amount unto, computing the Time from the Date of the Certificate until the Time of such Running; and that in running the Lines, and Courses, of any Tract of Land of an older Date than Forty Years back, so far as the Limits of such Tract of Land depend on Course and Distance only, there shall be allowed, for Variation, Two Degrees and no more, up to the Time of the Experiment and Observation before-mentioned; and from and after the Time of the said Experiment and Observation, the same Allowance shall be made, and in the same Manner, in the Lines and Courses thereof, as in younger Surveys; and the Lines and Courses of all Lands run, with the Allowance and Allowances for variation, as in this Act directed, shall be deemed and taken to be the true Lines or Courses of the said Lands.

And be it enacted, That it shall and may be lawful for every Person, together with the Surveyor of the County, and Two or more reputable Freeholders of the Neighbourhood, not related to either of the Parties, or interested in the Lands, to run out and adjust the Lines of his Lands, according to the Directions of this Act, and to set up marked Stones, or other durable marked Boundaries, at the End of every Line of his Land, if he shall think proper, first giving Notice to all Persons concerned, of the Time, and Place proposed for running and setting up such Boundaries, by affixing publick Notes, at the Parish Church where the Land lies, Three Sundays at the least before the Time appointed, for running and setting up such Boundaries, and putting up the like Notes in the most publick Place of the County, Twenty Days before the Day thereby appointed; and where all Persons interested are known, and any One of them lives out of the County, then Notice shall be given, by affixing a Note at the Church Door of the Parish Church in which such Party resides, Forty Days at the least before the Time thereby appointed for such running and setting up of Boundaries; of which Notice, and the Publication thereof, according to the Directions of this Act, proper Certificates shall be produced to the Surveyor and Freeholders, before the running and adjusting the Lines of any Land, and setting up of Boundaries as aforesaid. And if such Surveyor and

Freeholders shall be satisfied, by the Certificate so produced, that Notice, according to the Directions of this Act, has been given, such Surveyor, in the Presence of such Freeholders whether the Parties concerned attend or not, shall proceed to run out and adjust the Lines of such Land, and set up the Boundaries thereof, as aforesaid. And that the Variation may for the future be accurately observed, and the Deviation of the Needle from the Direction it had at any particular Time, may at any future Time be certainly known,

Be it enacted, by the Authority aforesaid, That it shall and may be lawful, for the Justices of each County Court, in this Province, and they are hereby directed and required, as soon as may be, after March Court next, to be held for each County respectively, to employ some discreet and skilful Person, at the County Charge, to take a true Meridian, at some convenient Place in each County, and cause to be set up and fitted for Observations, and kept in good Repair, Two durable Pillars of Brick, or Stone, in the Plane of such Meridian, at a proper Distance from each other, to stand and remain, as Marks of the true Meridian Line for each respective County, and at the County Charge, to provide one or more well graduated Theodolite or Theodolites in every County, which Theodolite or Theodolites, and no other, shall be used by every Surveyor, in surveying Lands in his respective County; and the Justices of each County, with the Surveyor of the same County, shall, in Twenty Days after the Meridian in their respective County shall be so taken, and Theodolite or Theodolites provided, accurately observe how much the Direction of the Needle of the said Theodolite or Theodolites vary, or differ from the said Meridian, and the Variation or Difference so observed, they shall cause to be noted down, with the Day and Year when the Observation and Trial was made, in a Book to be prepared for that Purpose, and kept by the Clerk of their respective Courts, among the Records thereof; and the Surveyor or Surveyors of each County, are hereby ordered and required, every Year, on the second Day of August Court, in the several Counties, if it shall be a Day fit to take an Observation, if not, on the next fit Day, to produce the Theodolite or Theodolites belonging to his or their respective County, and the same to try, at the Meridian Line, in the Presence of the Justices, or any Three of them that the Court shall appoint for that Purpose, and on every such Trial and Observation, whatever the Needle shall be found to have varied from the Direction it had at the last preceding Trial, the said Justices shall cause to be noted down, with the Time of making such Trial, in the Book aforesaid; and the Variation so found, upon such Trial and Trials, together with the Variation by this Act ordered to be allowed for the Time preceding the first Observation that shall be made, as above directed, shall be allowed in re-surveying the Lines and Courses of all Lands within this Province.

And be it also enacted, That if any such Surveyor shall neglect or omit to try the Theodolite or Theodolites, and observe the Variation, at the Time, and in the Manner as by this Act is directed, or shall survey or run out the Courses of any Lands with any other Instrument than the County Theodolite, or that shall not make the Allowance for Variation in running the Lines or Courses of any Land, as by this Act directed, every such Surveyor, for every such Neglect, Omission or Transgression, shall forfeit the Sum of Fifty Pounds current Money, to be recovered by Action of Debt with Costs, or by Indictment, One Half thereof to the Use of the Informer, if any, and the other Half, if any Informer, or if none, then the whole of such Forfeiture to the Use of the County where the Recovery shall be had, to be applied towards the Discharge of that County Levy.

And be it further enacted, That wherever in the Certificate of any younger Survey, such Survey is said to run from any Tree, or to begin in the Line of any elder Survey, and to run the same, or the reversed Course or Courses of such elder Survey, or to run to and then with any such Survey, or the reversed Course or Courses thereof, or wherever in any such Certificate, it shall manifestly appear to be the Intention of the Surveyor, to run such younger Survey with the Line or Lines of any elder Survey, in all such Cases the Surveyor shall make such Allowance in running the Lines of such younger Survey as will adjoin the same to such elder Survey, according to the original Design and Intention in making such younger Survey, any Thing in this Act to the contrary notwithstanding.

And be it further enacted, That the same Allowance shall be made by the Surveyor in running Lands held under Deeds of all Kinds, which originally separated any Part of an entire Tract from the whole, as on the Certificates of each original Survey, and under the same Penalties as are directed by this Act with Respect to Certificates, any Thing herein to the contrary notwithstanding.

And be it hereby enacted and declared, That whenever any marked Stone, or other durable Boundary shall be set up at the End of any Line of a Tract of Land, according to the Directions of this Act, whoever shall remove, cut down or destroy any such marked Stone, or other durable Boundary, shall incur the Penalty imposed on Persons who shall cut down or otherwise destroy any boundary or bounded Trees, either of his own Lands or of the Lands of any other Person, by an Act of Assembly of this Province, entitled, An Act for preventing the destroying of Boundaries or Bounded Trees, and the Bounding of Trees, or setting up of Boundaries without lawful Authority. And whereas this Act may induce many People to have their Lands surveyed, whereby the true Bounds and Limits thereof may be ascertained and perpetuated, which may make Discoveries to Land-mongers and prying mischievous Persons of small Points

and Slips of Vacancy adjoining to many Surveys, and it is highly reasonable the Person or Persons, to whose Land such Points or other small Vacancies join, should have a Preference in securing the same,

Be it therefore enacted, That whenever any vacant Land, not exceeding the Quantity of Fifty Acres, in any one Place, shall be hereafter discovered, the Person or Persons, to whose Land the said Vacancy joins, shall have the Pre-emption of such Vacancy; provided always, that if such Person or Persons, or some one of them, to whose Land such Vacancy shall adjoin, do not survey and take up the same within Twelve Months after Discovery and Notice thereof given to him or them, then it shall and may be lawful for any other Person to survey and take up the same; provided also, that when such vacant Land, so as aforesaid discovered, shall be contiguous to the Lands of any Minor or Minors, then Notice thereof shall be given to his or her or their Guardian, who shall, and is hereby required to take up and secure such Land, for, and in the Name of such Minor or Minors; and if the Profits of the Estate, over and above the Maintenance of such Minor or Minors, will not be sufficient to reimburse such Guardian for the Expence of taking up and securing such vacant Land, the said Minor or Minors shall be liable to his, her or their Guardian therefor, when he, she or they shall arrive at full Age, any Thing beforementioned in this, or any other Act of Assembly, to the contrary in any wise notwithstanding.

And whereas when Lands shall be hereafter surveyed and laid down, with Allowance for Variation, according to the Directions in this Act, it may be found that Houses, Fences, or other Improvements, will be left out of one Survey and included within the Lines of some other Tract, or taken by an elder Tract from a younger, or be left upon vacant Land, and it may be thought grievous to dispossess Persons of such Improvements made upon Lands to which they thought they had legal Title; for Prevention whereof,

Be it enacted, by the Authority, Advice and Consent aforesaid, That in all Cases where it shall appear that by Means of the Allowance for Variation given by this Act, the Houses, or other Improvements that are upon any Tract or Parcel of Land, are left out of the Lines thereof and included within the Lines of any other Tract, or shall be taken by an elder Tract from a younger, the Person or Persons, out of the Lines of whose Land such Houses and Improvements are excluded, or who shall hold the younger Survey, from which an elder Survey shall take as aforesaid, shall have Liberty to remove the same; and if the Improvements so excluded, left out or taken away, shall consist of an House or Houses, in which the Person or Persons holding the same, or his, her or their Tenant or Tenants, doth, or do usually dwell, or any other valuable House that cannot easily be removed, the Owner or Owners of such Dwelling-



House, or other valuable Houses, shall have and hold all that Part of such Tract of Land, which would otherwise be taken away by the Allowance for Variation, by the same Title that he hath in and to his other Land, out of which it shall be taken, he paying to the Person or Persons, within the Lines of whose Lands such Dwelling-House or Houses may be included, a reasonable Price for such Land, exclusive of said House or Houses; and in Case Diversity of Sentiment should arise between the Owners of such neighbouring Tracts, about the reasonable Value of such Land,

Be it enacted, That in all such Cases it shall and be lawful, for the Person or Persons in Possession, to name Six Arbitrators out of the most respectable Inhabitants in that Part of the County where the Lands lie, not of Kin to either of those who may be interested; out of which, There shall or may be struck by the Person or Persons into whose Survey the same Land and Improvements would fall, and such Arbitrators so struck as aforesaid, shall finally settle and adjust such Difference as aforesaid, and set a Price on the Lands, exclusive of Improvements aforesaid: Upon Payment or Tender, and Refusal whereof, the Possessor of such Lands shall, by Force and Virtue of this Act, be seized of and entitled unto the same Estate therein, as he, she or they, may have in his, her or their Land, out of which the same shall be so taken.

And be it further enacted, by the Authority aforesaid, That in Case any Tract, or Part of a Tract of Land, shall, by Means of the Allowance given by this Act for Variation, become vacant, the Person or Persons, to whom the same belonged, or within whose Lines it was included, according to the Direction of the Needle before such Allowance given, shall have the Preemption thereof, without being obliged to pay for the Buildings, or other Improvements that may be found thereon; provided always, that if such Person or Persons, do not survey and take up such Vacancy within Twelve Months after Discovery and Notice given to him or them thereof, that then it shall and may be lawful for any other Person to survey and take up the same; provided always, that wherever such immovable Improvements, as aforesaid, which shall happen to be taken into any other Survey, or be left upon vacant Land as aforesaid, shall be the Right of a Minor or Minors, the legal Guardian of such Minor or Minors shall pay the Value of the Land as aforesaid, or take up and secure the same, as the Case may happen, on Behalf of the said Minor; and if the Profits of the said Minor's Estate, over and above the Maintenance of such Minor or Minors, will not be sufficient to reimburse such Payment or Expences of taking up and securing such Land, the said Minor or Minors shall be liable to his, her or their Guardian therefor, when he, she or they, shall arrive at full Age, any Thing herein before contained to the contrary in any wise notwithstanding.

By the Lower House of Assembly, 31st October, 1770.

Read the Second Time, and referred for Consideration on the Second Tuesday of next Session of Assembly.

Signed by Order, John Duckett, Cl. Lo. Ho.

#### APPENDIX X

### AN ACT FOR MORE EFFECTUALLY PREVENTING THE BUYING AND SELLING OF OFFICES AND TO PREVENT SIMONIAL CONTRACTS NOV. 2, 1770

[THIS ACT NEVER BECAME A LAW. SEE INTRODUCTION, P. xxxii]

Maryland  
Gazette  
Nov. 22,  
1770

For the avoiding of Corruption which may hereafter happen to be in the Offices and Ministers in those Courts, or Places wherein there is requisite to be had the true Administration of Justice or Services of Trust, and to the Intent that Persons worthy and meet to be advanced to the Place where Justice is to be ministered, or any Service of Trust executed, shall hereafter be preferred to the same, and no other.

Be it enacted and declared, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That if any Person or Persons, at any Time hereafter, bargain or sell any Office or Offices, or Deputation of any Office or Offices, or any Part or Parcel of any of them, or receive, have, or take any Money, Fee, Reward, or other Profit, directly or indirectly, or take any Promise, Agreement, Covenant, Bond, or any Assurance to receive or have any Money, Fee, Reward, or other Profit, directly or indirectly, for any Office or Offices, or for the Deputation of any Office or Offices, or any Part of any of them, or to the Intent that any Person should have, Exercise, or enjoy any Office or Offices, or the Deputation of any Office or Offices, or any Part of any of them, which Office or Offices, or any Part and Parcel of them, shall in any wise touch or concern the Administration or Execution of Justice, or any Service of Trust to be executed, or which shall concern or touch any Clerkship, to be occupied in any Manner of Court of Record wherein Justice is to be ministered, that then all and every such Person or Persons, that shall so bargain and sell any of the said Office or Offices, Deputation or Deputations, or that shall take any Money, Fee, Reward or Profit, for any of the said Office or Offices, Deputation or Deputations, or any of the said Offices, or any Part of any of them, or that shall take any Promise, Covenant, Bond, or Assurance, for any Money, Reward or Profit, to be given for any of the said Office or Offices, Deputation or Depu-

tations of any of the said Office or Offices, or any Part of any of them, shall not only lose and forfeit all his and their Right, Interest and Estate, which such Person or Persons shall then have, of, in, or to any of the said Office or Offices, Deputation or Deputations, or any Part of any of them, or of, in, or to the Gift or Nomination of any of the said Office or Offices, Deputation or Deputations for the which Office or Offices, or for the Deputation or Deputations of which Office or Offices, or for any Part of them, any such Person or Persons shall so make any Bargain or Sale, or take or receive any Sum of Money, Fee, Reward or Profit, or any Promise, Covenant, Bond or Assurance to have or receive any Fee, Reward, Money or Profit, but also that, that all and every such Person or Persons, who shall, directly or indirectly, give or pay any Sum of Money, Reward or Fee, or shall make any Promise, Agreement, Bond or Assurance, for any of the said Offices, or for the Deputation or Deputations of any of the said Office or Offices, or any Part of any of them, shall immediately, by and upon the same Fee, Money or Reward, given or paid, or upon any such Promise, Covenant, Bond or Agreement, had or made for any Fee, Sum of Money, or Reward to be paid, as is aforesaid, be adjudged a disabled Person in the Law, to all Intents and Purposes, to have, occupy or enjoy the said Office or Offices, Deputation or Deputations, or any Part of any of them, for the which, such Person or Persons, shall so give or pay any Sum of Money, Fee or Reward, or make any Promise, Covenant, Bond, or other Assurance to give or pay any Sum of Money, Fee or Reward, or any other Office or Offices, or any Part or Parcel of them, that in any wise touch or concern the Administration or Execution of Justice, or any Service of Trust. And if any Person or Persons shall, at any Time hereafter, be appointed or nominated to any of the said Offices, by or through the Means or Procurement of any other Person, who shall pay any Sum of Money, Reward or Fee, or shall make any Promise, Covenant, Bond, or other Assurance, to give or pay any Sum of Money, Fee or Reward, and to which he shall not be privy, such Persons shall thereupon, and from thenceforth be adjudged a disabled Person in Law, to have, occupy or enjoy the said Office or Offices, Deputation or Deputations, or any Part of them.

And be it also enacted by the Authority aforesaid, That all and every such Bargains, Sales, Promises, Bonds, Agreements, Covenants and Assurances as before Specified, shall be void, to and against him and them by whom any such Bargain, Sale, Bond, Promise, Covenant or Assurance, shall be had or made.

Provided also, That if any Person or Persons, do hereafter offend in any Thing contrary to the Tenor and Effect of this Act, yet that notwithstanding all Judgments given, and all other Act and Acts, executed or done by any such Person or Persons so offending, by

Authority or Colour of the Office or Deputation which ought to be forfeited, or not occupied, or not enjoyed by the Person so offending, as is aforesaid, after the said Offence so by such Person committed or done, and before such Person so offending, for the same Offence, be removed from the Exercise, Administration and Occupation of the said Office or Deputation, shall be and remain good and sufficient in Law, to all Intents, Constructions, and Purposes, in such like Manner and Form as the same should, or ought to have remained and been, if this Act had never been made.

And be it further enacted, That every Person who shall be nominated, elected or appointed to the Office of Chancellor, or Keeper of the Great Seal, Secretary, Commissary General, Register of the Land-Office, or by whatever other Denomination the Person or Persons shall be called to whom the said Office and Perquisites shall be committed, County Clerks, Sheriffs, Surveyor-General and his Deputies, Judge of the Admiralty Court, Examiner-General and Naval Officer, before he shall enter upon the Execution of the said Office, shall, before a Provincial or County Justice, take the following Oath, to wit: "I, A.B. do swear, that I have not given or paid, nor will I give or pay, any Sum or Sums of Money, or other Reward whatsoever, other than the lawful Fees, nor have given any Bond, or other Assurance, to pay any Money, Fee or Profit, directly or indirectly, to any Person or Persons whomsoever, for the Nomination or Appointment of me to the Office of \_\_\_\_\_ nor hath any other Person, with my Consent, or to my Knowledge or privity, paid, or given any Sum or Sums of Money, or other Reward whatsoever, nor given any Bond or other Assurance or Promise, to pay any Money, Fee or Profit, directly or indirectly, to any Person or Persons whomsoever, for the Nomination or Appointment of me to the said Office. So help me God," under the Penalty of One Thousand Pounds Sterling, to be recovered with Costs, in the Name of the Lord Proprietary, and the Informer by Action of Debt founded on this Act, in which it shall be sufficient to alledge, that the Defendant is indebted in the aforesaid Sum of Money, whereby Action accrued according to the Form of this Act of Assembly, without setting forth the Special Matter, provided a short Note, expressing the Cause of Action, be lodged in the Office at the Time of issuing the Writ, One Half to the Informer, and the other Half to be paid to the Sheriff of the County in which the Recovery shall happen, to be by him paid to the Commissioners for emitting Bills of Credit for the Use of the Publick of this Province; and in Case there shall be no Informer, the said Penalty may be recovered by Indictment, and paid in the Manner, and to such Persons as aforesaid, for the Use of the Publick. And the Justice or Justices, before whom such Oath shall be taken, shall give a Certificate thereof under his Hand, which Certificate shall be entered in the Records of the Provincial



Court, or the Records of the County Court in which such Office shall be exercised, before such Officer shall be entitled to demand, take, or receive any Fee or Profits of his Office. And for preventing all Simoniack Contracts, for or concerning Church-Livings, and to the End that faithful and able Ministers, labouring in the Work of the Gospel, may be promoted in this Province.

Be it enacted, That every Minister, who shall be presented, inducted, or appointed, to any Church-Living, or Benefice, within this Province, shall, within Four Months thereafter, take and subscribe the several Oaths appointed by Law to be taken to the Government, and repeat and subscribe the Test, in the Provincial Court, or in the County Court of the County in which his Living or Benefice shall be, and also the following Oath, to wit: "I, A.B. do swear, that I have made no Simoniack Payment, Contract or Promise, directly or indirectly, by myself or by any other, to my Knowledge, or with my Consent, to any Person or Persons whatsoever, for or concerning the procuring or obtaining the Benefice or Living of  
Parish, whereunto I was presented, inducted or appointed, on the  
Day of                      in the Year of

nor will, at any Time hereafter, perform or satisfy in any Manner, directly or indirectly, any such Kind of Payment, Contract or Promise whatsoever, made by any other without my Knowledge or Consent. So help me God, through Jesus Christ."

And be it further enacted, That in Case any Minister shall, directly or indirectly, give any Sum of Money, Reward, Gift, Profit or Benefit, or shall, directly or indirectly, make or give any Agreement, Promise, Grant, Bond or other Assurance, for the paying or giving any Sum of Money, Reward, Gift, Profit or Benefit, or to resign his Benefice, for procuring his Presentation, Induction or Appointment to his Benefice, or shall wilfully omit or neglect to take all and every the Oaths aforesaid, and in the Manner and within the Time aforesaid, or in Case any Minister shall in any Manner be concerned in any Simoniack Contract, such Minister shall thereupon, and from thenceforth be adjudged a disabled Person in Law, to have or hold the same, or any other Benefice or Church-Living, within this Province, and if any Minister shall be presented, inducted or appointed, to any Benefice or Church-Living in this Province, by or through the Means of any Simoniack Contract or Agreement, to which he shall not be privy, such Minister shall thereupon, and from thenceforth be adjudged a disabled Person in Law, to have or hold the same Benefice or Church-Living.

Provided always, That no Lease, really, bona fide, and for good and valuable Consideration, made by any Person Simoniacally promoted or concerned in any Simoniacal Contract, to any Tenant or Person, not being privy to, or having Notice of such Simony, shall be impeached or avoided for or by Reason of such Simony.

By the Lower House of Assembly, Oct. 30, 1770. Read the Second Time, by especial Order, and will pass.

Signed by Order, John Duckett, Cl. Lo. Ho.

By the Upper House of Assembly, 1st Nov. 1770. Read the Second Time, and will pass with the Amendments annexed.

Signed by Order, U. Scott, Cl. Up. Ho.

By the Lower House of Assembly, Nov. 2, 1770. Read with the Amendments from the Upper House and rejected.

Signed by Order, John Duckett, Cl. Lo. Ho.

By the Lower House of Assembly, Nov. 2, 1770. Ordered, That the Bill, entitled "An Act for more effectively preventing the buying and selling of Offices, and to prevent Simoniackal Contracts, with the Indorsements thereon, be immediately printed in the Maryland Gazette."

Signed by Order, John Duckett, Cl. Lo. Ho.

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